

March 19, 2008

## **Supporting Statement for Paperwork Reduction Act Submissions**

**OMB Control Number: 1660 - 0087**

**Title: [FY 2008] NIMS Compliance Assistance Support Tool (NIMSCAST)**

**Form Number(s): None**

### **General Instructions**

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 or the OMB Form 83-I is checked "Yes", Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

### **Specific Instructions**

#### **A. Justification**

**1. Explain the circumstances that make the collection of information necessary (give details as to why this information is being collected). 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. Provide a detailed description of the nature and source of the information to be collected.**

In Homeland Security Presidential Directive (HSPD)-5, *Management of Domestic Incidents*, the Secretary of Homeland Security is directed to develop and administer a National Incident Management System (NIMS). The NIMS provides a consistent nationwide approach for federal, State, tribal, and local jurisdictions to work together to prepare, prevent, respond, and recover from domestic incidents, regardless of cause, size, or complexity. Beginning in FY 2005, federal departments and agencies made adoption of the NIMS by State and local governments a requirement for federal preparedness assistance through grants, contracts and other activities.

NIMSCAST, the self-assessment instrument developed by FEMA's National Integration Center's Incident Management System Integration (IMSI) Division is the evaluative tool for jurisdictional ability to handle such incidents. By contributing to

the establishment of a national baseline for compliance by all Federal, State, local, and tribal governments with the NIMS, NIMSCAST enhances the ability of the United States to manage domestic incidents by establishing a single, comprehensive national incident management system.

In addition to HSPD-5, this information collection is supported by the following authorities: The Homeland Security Act of 2002, Homeland Security Presidential Directive/HSPD-8-National Preparedness, and The U.S. Department of Homeland Security (DHS)-National Incident Management System (NIMS), dated March 1, 2004.

In FY 2005 and FY 2006 State, Territory, Tribal and Local jurisdictions were permitted to self-certify their levels NIMS implementation in broad categories. Beginning in FY 2007, State, territory, tribal, and local jurisdictions must demonstrate successful NIMS implementation. On October 23, 2006, IMSI released FY 2007 NIMS Compliance/ Implementation Metrics, which revised the compliance/implementation requirements for this fiscal year, (see [http://www.fema.gov/pdf/emergency/nims/ltr\\_govs.pdf](http://www.fema.gov/pdf/emergency/nims/ltr_govs.pdf)). The NIMSCAST has been modified to include the FY 2007 collection of the NIMS Implementation Metrics. These metrics were derived, in part, from the compliance requirements specified in FY 2006 as well as from stakeholder input at the State, territorial, tribal and local. On February 25, 2008, IMSI published 27 Compliance Objectives for States and Territories. As in FY 2007, to be compliant in FY 2008, jurisdictions must affirmatively answer Compliance Metrics relating to those specific NIMS Compliance Objectives listed below.

Although all jurisdictions are strongly encouraged to use the NIMSCAST for the collection of the metrics, there are jurisdictions that will lack the capability to submit their NIMS compliance assessment electronically and in these instances, the IMSI requests that jurisdictions submit their metrics paperwork to their respective State or Territory for its collection, review, and processing into the NIMSCAST.

Additionally, to be eligible to receive FY 2008 EMPG funding, applicants must meet NIMS compliance requirements. State, Territory, Tribal, and local governments are considered to be in full NIMS compliance if they have adopted and/or implemented the FY 2007 compliance activities, as determined by NIMSCAST or other accepted means. All State and Territory grantees will be required to submit their compliance assessment via the NIMSCAST by September 30, 2008 in order to be eligible for FY 2009 preparedness programs.

**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. Provide a detailed description of:**

**how the information will be shared, if applicable, and for what programmatic purpose.**

NIMSCAST facilitates and reports State, Territory, tribal and local jurisdictions' compliance with the NIMS. The NIMSCAST allows incident management authorities and resource managers to assess their current capabilities as well as to determine what additional measures should be taken and what resources are needed to effectively implement the NIMS nationwide.

The FY 2008 NIMSCAST reflects the Compliance Objectives (implementation activities) and metrics released to the State, territorial, tribal, and local governments in February 2008. All NIMSCAST data is organized by the seven components or chapters of the NIMS document. These data elements involve readiness metrics and related elements that support the national preparedness goal including standards for preparedness assessments and strategies, and a system for assessing the Nation's overall preparedness to respond to major events, especially those involving acts of terrorism. Information collected from NIMSCAST in FY 2008 will also be used to help determine eligibility for federal preparedness assistance through grants, contracts, or other activities.

In addition to the end uses of NIMSCAST stated above, the instrument provides additional management tools necessary to strengthen incident management programs at the department, agency or jurisdiction level by specifically:

1. Providing a comprehensive incident management program review;
2. Helping define and/or redefine the incident management baseline for strategic planning to correct deficiencies and achieve required capabilities;
3. Providing program orientation for new staff members or leadership;
4. Serving as justification for budget, staff and resources requests; and
5. Assisting in the development of plans to deal with deficiencies.

**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.**

All responses will be collected electronically, as there is no alternative means involved in this data gathering effort. This NIMSCAST data collection employs web-based technology to gather responses, a method that ensures reduced burden hours and processing costs and a more efficient transmittal of information. The instrument is housed in URL <http://www.fema.gov/nimscast>, where it can be opened, data entered, saved, and submitted electronically.

NIMS refinement will continue to evolve as policy and technical issues are further developed and clarified. As a result, IMSI may publish additional requirements for States/territories, tribal entities, and local governments regarding what constitutes NIMS compliance in a given fiscal year. IMSI, therefore, intends to recurrently maintain and update the data collection addressed in the NIMSCAST. All jurisdictions relying on the NIMSCAST will expect that the tool will adapt to meet all concepts, principles, and policy relating to NIMS implementation and compliance as articulated by the Department of Homeland Security, FEMA, and the NIMS Integration Center. At a minimum IMSI will issue new policy to State, local and tribal governments regarding their implementation of NIMS. Additionally, it is the objective of IMSI to develop implementation policy (NIMS compliance metrics) for Federal Departments and Agencies, non-governmental organizations (NGOs), and private sector. IMSI intends to reflect this new implementation policy into the NIMSCAST.

**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.**

The information collected through NIMSCAST is unique and not available from any other source. The instrument has been specifically designed using the standards and requirements developed by the Department of Homeland Security under the National Incident Management System.

**5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize.**

No collection of information from small businesses or small entities.

**6. Describe the consequence to Federal/FEMA program or policy activities if the collection of information is not conducted, or is conducted less frequently as well as any technical or legal obstacles to reducing burden.**

Homeland Security Presidential Directives (HSPD's) mandate this information collection as stated in Question 1 above. In accordance with requirements detailed in HSPD-5 and HSPD-8, State, tribal, and local jurisdictions must be compliant with the NIMS. FEMA IMSI developed the NIMSCAST as the tool to capture important data relating to NIMS implementation and compliance. Therefore, any delay or inability to conduct this information collection will have major consequences. Specifically:

1. FEMA's ability to verify jurisdictions' compliance with NIMS within a determined fiscal year deadline could impact a State, territory, tribal, and Local jurisdiction's eligibility to continue to receive Federal preparedness funding awards;

2. A jurisdiction's ability to implement incident management capabilities would be diminished, and
3. The data which supports FEMA's knowledge of the current national preparedness level would not be available.

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

**(a) Requiring respondents to report information to the agency more often than quarterly.**

There are no special circumstances that would cause this information collection to be conducted in any manner indicated for this item.

**(b) Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.**

There is no request for a written response in fewer than 30 days.

**(c) Requiring respondents to submit more than an original and two copies of any document.**

There is no request to submit additional copies of documents.

**(d) Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years.**

This collection does not have recordkeeping requirements.

**(e) 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.**

This collection does not employ statistical methodology.

**(f) Requiring the use of a statistical data classification that has not been reviewed and approved by OMB.**

The information collection will not use any statistical data classification not reviewed and approved by OMB.

**(g) 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  
other

**pledge, or which unnecessarily impedes sharing of data with agencies for compatible confidential use.**

No assurance of confidentiality has been provided to respondents. Please refer to Q10 and Q11 below.

**(h) Requiring respondents to submit proprietary trade secret, 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.**

Respondents will not be asked to submit proprietary trade secrets. Please refer to Q10 and Q11 below.

#### **8. Federal Register Notice:**

**a. Provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice 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.**

A 60-day Federal Register Notice inviting public comments was published on February 27, 2007, Volume 72, Number 38, pp. 8762. **No comments were received.** Please see attached copy of the published notice included in this package.

**b. Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

FEMA's IMSI developed the NIMSCAST in consultation with incident managers and other strategic emergency management stakeholders at all levels of government. Such input resulted in the identification and incorporation of best practices in NIMS and a representation of a core set of metrics, doctrine, concepts, principles, terminology, and organizational processes to enable effective, efficient, and collaborative incident management at all levels. Prior to the development of the NIMSCAST, data collection that articulated NIMS compliance at the State and local levels was not undertaken.

**c. Describe consultations with representatives of those from whom information is to be obtained or those who must compile records. Consultation should occur at least once every three years, even if the collection of information activities is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

FEMA's strategic alliances with Federal, State, local, and tribal governments involve frequent consultation with officials and subject-matter experts with responsibilities over emergency management-related issues on a routine basis. Respondents from all jurisdictions have been made aware of the NIMS requirements and have been consulted in the development of NIMSCAST through meetings, conferences, FEMA websites, news releases, fact sheets, and publication of HSPD-5 and HSPD-8. Unstructured comments and suggestions were taken into consideration in the development of the questionnaire at every step of the process, and a field test using nine volunteer incident managers was conducted for the purpose of validating data elements, clarity of instructions, and frequency of response.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

There will be no payment or gift made to respondents.

**10. Describe any assurance of confidentiality provided to respondents. Present the basis for the assurance in statute, regulation, or agency policy.**

No assurance of confidentiality has been provided, and full disclosure as to the uses of the information (i.e. assistance eligibility, readiness evaluation) has been explained in detail. Respondents from all jurisdictions have been notified of the mandatory compliance with the NIMS if federal preparedness assistance is sought, and consequently, the resulting ineligibility from not providing this information.

NIMSCAST is a permission-based system with all users being invited to participate by the next higher level (i.e. state-county-city). The tool requires respondents' registration (User ID –email address- and Password). Each jurisdiction will have its own individual secured password and will be able to access its own information. States will have access to both statewide and localities information, while federal respondents will have access to their own agency information. Authorized personnel from FEMA'S IMSI will have complete access to the entire database. The data collected will be stored in an in-house server operated by authorized FEMA personnel.

**11. Provide additional justification for any question 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.**

Although there are no questions related to sensitive personal or identifiable information, the type of information being collected through NIMSCAST may be considered sensitive for security reasons. The collection seeks to collect critical infrastructure information that may include security plans, vulnerability assessment reviews and other types of sensitive data with potential implications under the Freedom of Information Act (FOIA). Accordingly, the agency will exert extreme caution on the release of information per protections that may be allowed under laws governing release of this type of information (i.e. FOIA exemption 3--the Homeland Security Act, Section 214, "Protection of Voluntarily Shared Critical Infrastructure" and other related statutes.

**12. Provide estimates of the hour burden of the collection of information.  
The statement should:**

**a. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desired. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

Data Collection Activity/Instrument	No. of respondents	Frequency of responses	Hour burden per response	Annual responses	Total annual hour burden
NIMSCAST					
States and Territories	56	1	2.4	56	134.4
Local Government	3,225	1	2.4	3,225	7,740
Tribal Government	560		2.4	560	560
<b>TOTAL</b>	<b>3,841</b>	<b>1</b>		<b>3,841</b>	<b>9,218</b>

FEMA has estimated a total of 56 states and territories that will respond to the NIMSCAST data collection. It is estimated that State/Territories will take approximately 2.4 hours to complete the NIMSCAST. Furthermore, it is estimated that Local and tribal governments will take approximately 2.4 hours to complete the NIMSCAST. Within the 56 states and territories there will be 3,225 Local and 560 Tribal total responses. The estimated annual burden for this collection totals 9,218 hours based on 3,841 responses

Respondents to the NIMSCAST will consist of state emergency managers, Homeland Security officials, police, fire and medical personnel, and incident managers of other organizations that typically handle emergency management issues. There will be three categories of jurisdictions and/or organizations comprised of: a) 56 states/territories; b) 3,225 locals; and c) 560 federally-recognized Indian tribes.

**b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

**c. Provide an estimate of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost to the respondents of contracting out or paying outside parties for information collection activities should not be included here. Instead this cost should be included in Item 13.**

**Table 2. Annual Cost to Respondents for Hour Burden.**

Data Collection Activity/Instrument	Respondent's Occupational Category	Median Wage (\$)	Total Annual Hour Burden (hour)	Total Annual Cost Burden (\$)
		(F)	(E)	(G) = (FxE)
NIMSCAST	13-1061 Emergency Management Specialists	\$22.79	9,218	\$210,078.22

The annual cost to respondents is calculated based on 9218 hours of annual burden completed by State emergency management specialists with a median wage of \$22.79 per hour for a total burden of \$210,078.22.

**13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. The cost of purchasing or**

contracting out information collection services should be a part of this cost burden estimate. (Do not include the cost of any hour burden shown in Items 12 and 14.)

The cost estimates should be split into two components:

- a. Operation and Maintenance and purchase of services component. These estimates should take into account cost associated with generating, maintaining, and disclosing or providing information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred.

There is no cost to respondents for Operation and Maintenance.

- b. Capital and Start-up-Cost should include, among other items, preparations for collecting information such as purchasing computers and software, monitoring sampling, drilling and testing equipment, and record storage facilities.

There is no Capital and Start-up Cost for this 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 have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.**

**Annual Cost to the Federal Government**

<b>Item</b>	<b>Cost (\$)</b>
Contract Costs <b>[Describe in details.]</b> <ul style="list-style-type: none"> <li>• Development of the NIMSCAST began in 2004. Through the end of 2006 approximately \$480,000 as been spent of the development of the collection instrument. Annualizing this amount yields an average of \$200,000 per year in maintenance and development.</li> </ul>	\$200,000
Staff Salaries <b>[State number of employees involved, GS-level, Time spent w/ this collection.] 1 Man-year GS-13 Step 5 Employee</b>	\$ 89,985
Facilities	0
Computer Hardware and Software	0
Equipment Maintenance	0
Travel	0

Printing	N/A
Postage	N/A
Other	0
<b>Total</b>	<b>\$289,985</b>

The total cost to the federal government for this information collection is estimated at \$289,985 of which \$200,000 is accounted for contract costs and \$ 89,985 in staff salaries.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I in a narrative form. Present the itemized changes in hour burden and cost burden according to program changes or adjustments in Table 5. Denote a program increase as a positive number, and a program decrease as a negative number.**

**Definitions**

*Program changes should not be confused with adjustments.*

***i) Program change***

*A "Program increase" is an additional burden resulting from an action or directive of a branch of the Federal government (e.g., an increase in sample size or coverage, amount of information, reporting frequency, or expanded use of an existing form). This also includes previously in-use and unapproved information collections discovered during the ICB process, or during the fiscal year, which will be in use during the next fiscal year.*

*A "Program decrease", is a reduction in burden because of: (1) the discontinuation of an information collection; or (2) a change in an existing information collection by a Federal agency (e.g., the use of sampling (or smaller samples), a decrease in the amount of information requested (fewer questions), or a decrease in reporting frequency).*

**ii) An "Adjustment"** denotes a change in burden hours due to factors over which the government has no control, such as population growth, or in factors which do not affect what information the government collects or how (e.g., changes in the methods used to estimate burden or correction of errors in burden estimates).

**Itemized Changes in Annual Burden Hours**

<b>Data collection Activity/Instrument</b>	<b>Program Change (hours currently on OMB Inventory)</b>	<b>Program Change (New NIMSCAST)</b>

<b>FY 2007 NIMSCAST</b>	11,635	<b>9,218</b>
<b>Difference</b>		
<b>Total(s)</b>	11,635	-2417

***Explain:***

NIMSCAST is available for primary respondents—56 State and Territories—to track and report NIMS compliance via the FY 2008 Compliance Metrics. In order for a State/Territory to report compliance, it relies on compliance assessments from local governments within its jurisdictions. It is up to the discretion of the 56 primary respondents (States and territories) to determine the appropriate number of local *users and/or accounts* necessary to provide that accurate State-/territory-wide NIMS compliance data. We anticipate that primary respondents will rely on data from 3875 local respondents. As a result, the **Total Annual Hour Burden** to complete the FY 2008 NIMSCAST will be 9,218. Once this data is compiled and approved by the State or territory, the NIMSCAST data will be shared with FEMA.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

NIMSCAST is a continuous data gathering process and no general publication of data findings is planned at this point. The Information collected will be analyzed and tabulated, and findings will be reported annually to the U.S. Department of Homeland Security. Findings will be shared with respondents for follow-up action. The possibility of quarterly reports may exist under special circumstances.

**17. If seeking approval not to display the expiration date for OMB approval of the information collection, explain reasons that display would be inappropriate.**

This information collection does not seek such approval. The OMB control number and disclosure statement will be displayed.

**18. Explain each exception to the certification statement identified in Item 19 “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.**

This collection does not seek exception to the certification statement referenced above.

**B. Collections of Information Employing Statistical Methods.**

When Item 17 on the Form OMB 83-I is checked “Yes”, the following documentation should be included in the Supporting Statement to the extent it applies to the methods proposed:

There is no statistical methodology involved in this collection.