

U.S. Department of Transportation

SUPPORTING STATEMENT

Advisory Committee Candidate Biographical Information Request

INTRODUCTION

This is to request the Office of Management and Budget's (OMB) renewed three-year approved clearance for the information collection entitled, Advisory Committee Candidate Biographical Information Request (OMB Control No. 2125-0009, which is currently due to expire on
March 31, 2009.

Part A. Justification.

1. Circumstances that make collection of information necessary. 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 collection is necessary to gather information from individuals interested in appointments to advisory committees and individuals who have been recommended for membership on an advisory committee to ensure that the committee is balanced and fairly and equitably represents, to the extent feasible, all the various interests that may be affected by the committee's work and that undue weight not be afforded the views of any one interest, as required by the Federal Advisory Committee Act, P.L. 92-463.

2. How, by whom, and for what purpose is the information used. 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.

The Advisory Committee Candidate Biographical Information Request form is submitted by individuals interested in appointments to an advisory committee and individuals who have been recommended for membership, in hardcopy, to the office/modal administration that sponsors the advisory committee. The information is gathered to ensure fair and balanced membership as required by the Federal Advisory Committee Act, P.L. 92-463.

3. Extent of automated information collection. 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.

Currently, the Advisory Committee Candidate Biographical Information Request form is not offered electronically.

4. Efforts to identify duplication. 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.

There is no other information collection in the Department being used to gather information related to prospective advisory committee members.

5. Efforts to minimize the burden on small businesses. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESSES OR OTHER SMALL ENTITIES (ITEM 5 OF OMB FORM 83-1), DESCRIBE ANY METHODS USED TO MINIMIZE BURDEN.

N/A

6. Impact of less frequent collection of information. DESCRIBE THE CONSEQUENCE TO FEDERAL PROGRAM OR POLICY ACTIVITIES IF THE COLLECTION IS NOT CONDUCTED OR IS CONDUCTED LESS FREQUENTLY, AS WELL AS ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN.

If the information collection is not used, the departmental advisory committees membership may not be fair and balanced as required by the Federal Advisory Committee Act, P.L. 92-463, which could result in legal action for the Department.

7. Special circumstances. 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;

Advisory committee members are appointed for a 2-year term. Therefore, respondents would not be required to report the information 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;

Respondents are not required to submit their Candidate Biographical Information Request form in less than 30 days.

-REQUIRING RESPONDENTS TO SUBMIT MORE THAN AN ORIGINAL AND TWO COPIES OF ANY DOCUMENT;

Respondents are only required to submit the original request form.

-REQUIRING RESPONDENTS TO RETAIN RECORDS, OTHER THAN HEALTH, MEDICAL, GOVERNMENT CONTRACT, GRANT-IN-AID, OR TAX RECORDS FOR MORE THAN THREE YEARS;

N/A

-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;

N/A

-REQUIRING THE USE OF A STATISTICAL DATA CLASSIFICATION THAT HAS NOT BEEN REVIEWED AND APPROVED BY OMB;

N/A

-THAT INCLUDES A PLEDGE OF CONFIDENTIALITY THAT IS NOT SUPPORTED BY AUTHORITY ESTABLISHED IN STATUE 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

N/A

-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.

N/A

8. Compliance with 5 CFR 1320.8: 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 THOSE COMMENTS. SPECIFICALLY ADDRESS COMMENTS RECEIVED ON COST AND HOUR BURDEN.

Federal Register Notice, November 18, 2008 (Volume 73, Number 223)

No public comments were received in response to the 60-day notice.

9. Payments or gifts to respondents. EXPLAIN ANY DECISION TO PROVIDE A PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN ENUMERATION OF CONTRACTORS OR GRANTEEES.

N/A

10. Assurance of confidentiality: DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR THE ASSURANCE IN STATUTE, REGULATION, OR AGENCY POLICY.

Assurance of confidentiality is provided to the respondent through the Privacy Act Statement included on the information request form under provisions of P.L. 93-579 of the Privacy Act of 1974.

11. Justification for collection of sensitive information: 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.

Questions of a sensitive nature are included in the information request form to ensure fair and balanced membership as required by the Federal Advisory Committee Act, P.L. 92-463.

Consent to obtain the information is given when the respondent signs the information request form. Additionally, the form contains a statement regarding authorization to maintain political affiliation information.

12. Estimate of burden hours for information requested: PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION. THE STATEMENT SHOULD:

The estimated number of respondents is 100 annually. Each respondent would only submit the information request form once, unless they are re-appointed to the same advisory committee or another departmental advisory committee. The estimated individual burden is 15 minutes per form, which is estimated at 25 total burden hours.

13. Estimate of total annual costs to respondents

N/A

14. Estimate of cost to the Federal government.

N/A

15. Explanation of program changes or adjustments.

There are no changes to the current burdens.

16. Publication of results of data collection.

N/A

17. Approval for not displaying the expiration date of OMB approval.

There is no reason why OMB's expiration date could not be displayed on the information collection.

18. Exceptions to certification statement.

N/A_

ATTACHMENTS:

60-day Federal Register Notice dated November 18, 2008 (Volume 73, Number 223)

Federal Advisory Committee Act, Public Law 92-463

Privacy Act of 1974, Public Law 93-579

OMB NO: 2105-0009
EXPIRATION DATE: 03/31/2009

Public Burden Statement

A federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2105-0009. Public reporting for this collection of information is estimated to be approximately 15 minutes per response, including the time for reviewing instructions, gathering the data needed, and completing and reviewing the collection of information. All responses to this collection of information are voluntary. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, U.S. Department of Transportation, 1200 New Jersey Avenue, SE, Washington, D.C. 20590.