

# **INFORMATION COLLECTION SUPPORTING STATEMENT**

## **Corporate Security Review (CSR)**

- 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. (Annotate the CFR parts/sections affected).**

The Transportation Security Administration's (TSA) Corporate Security Review (CSR) program is one piece of a much larger domain awareness, prevention, and protection program in support of TSA's and the Department of Homeland Security's missions. The CSR is a voluntary "instructive" review that provides the TSA with an understanding of each surface transportation owner/operator's ability to protect its critical assets. In carrying out CSRs, teams of Transportation Security Specialists from TSA's Highway and Motor Carrier Division (HMC) conduct site visits on school bus, motor coach, general trucking, State Departments of Transportation, and privately-owned assets such as bridges and tunnels throughout the Nation. The TSA team analyzes the owner/operator's security plan and determines if the mitigation measures included in the plan are being implemented. In addition to reviewing the security plan document, TSA tours the site and interviews the owner/operator's security coordinator, employees, and contractors.

The Aviation and Transportation Security Act (Pub. L. 107-71, 115 Stat. 597, Nov. 19, 2001) requires TSA to oversee the security of the nation's surface transportation system. Specifically, ATSA grants TSA authority to execute its responsibilities for:

- Enhancing security in all modes of transportation (49 U.S.C. 114(d));
- Assessing intelligence and other information in order to identify individuals who pose a threat to transportation security and to coordinate countermeasures with other Federal agencies to address such threats (49 U.S.C. 114(f)(1)-(5), (h)(1)-(4)); and
- Identifying and coordinating countermeasures to address threats to the transportation system (49 U.S.C. 114(f)(4)), including the authority to receive, assess, and distribute intelligence information related to transportation security; (49 U.S.C. 114(f)(1)-(4)).

Beyond these broad authorities, the Homeland Security Presidential Directives (HSPD) also define and prioritize the role of the Federal Government to provide for the security of the Nation. To this end, HSPD-7 (Dec. 17, 2003) designated TSA as the sector specific agent for transportation, including the postal and shipping sector. The Secretary of Homeland Security subsequently delegated the sector-specific responsibility to TSA, with the exception of the maritime mode, which was delegated to the Coast Guard.

- 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.**

TSA collects information on eleven topics: management and oversight of the security plan, threat assessment, criticality assessment, vulnerability assessment, personnel security, training, physical security countermeasures, en route security, information technology security, and security exercises and drills. TSA conducts this collection through voluntary

face-to-face visits at the company/agency headquarters. At times, TSA stakeholders request such visits. Typically, TSA sends one to three employees to conduct a two to three hour discussion and interview with representatives from the company/agency owner/operator. During the site visit, TSA completes the CSR form, which asks questions on the above mentioned topics. TSA conducts these discussions to ascertain information on security measures and to identify coverage gaps. The discussions also provide TSA with a method to encourage surface transportation company/agency owner/operators to be diligent in effecting and maintaining security-related improvements.

- 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. [Effective 03/22/01, your response must SPECIFICALLY reference the Government Paperwork Elimination Act (GPEA), which addresses electronic filing and recordkeeping, and what you are doing to adhere to it. You must explain how you will provide a fully electronic reporting option by October 2003, or an explanation of why this is not practicable.]**

In addition to the data collection aspects of this program, TSA gains value from the relationships it builds with the managers within individual corporations and agencies during the interviews. Because the program has a relationship-building component to it, TSA has not, to any extent, collected information using automated, electronic, mechanical, or other technological collection techniques. These collections have been face-to-face only. In compliance with the GPEA, TSA is considering making the individual questions available via the Internet, but has not yet made a final determination as to whether the benefits of establishing a fully electronic reporting option outweigh the costs in potentially reduced data quality and diminished relationship strength, and the resulting impacts on security posture.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose(s) described in Item 2 above.**

TSA has searched for similar information from our Federal partners in the Departments of Homeland Security and Transportation, but has not found any other sources that collect information sufficiently similar to that covered by the CSR program. TSA has found that vulnerability assessments conducted by other agencies concentrate on specific assets, yielding information that is not of sufficient breadth to enable TSA to assess effectively the transportation industry's security posture.

- 5. If the collection of information has a significant impact on a substantial number of small businesses or other small entities (Item 5 of the Paperwork Reduction Act submission form), describe the methods used to minimize burden.**

Although TSA plans to collect information from businesses of all sizes, there is minimal potential burden to small businesses or other small entities.

**6. 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 this collection is not conducted, TSA will not be able to assess the current security practices in the highway mode segment of the transportation sector, and will, therefore, not be able to fully exercise its oversight authority as provided for under ATSA. If the collection is conducted less frequently, TSA's ability to compare data collected at different sites will be diminished.

This program provides TSA with real-time information on current security practices within the highway mode of the surface transportation sector. This information allows TSA to adapt programs to the changing threat dynamically, while incorporating an understanding of the improvements owners/operators make in their security posture. Without this information, the ability of the TSA to perform its security mission would be severely hindered.

Additionally, the relationships these face-to-face contacts foster are critical to the Federal Government's ability to quickly reach out to highway mode of transportation stakeholders to respond to any incidents in this transportation mode. The relationships foster a sense of trust and a willingness to share information with the Federal Government.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5(d)(2).**

TSA will conduct this collection in a manner consistent with the general information collection guidelines in 5 CFR 1320.5(d)(2).

**8. Describe efforts to consult 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. 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.**

TSA has consulted our Federal partners in the Departments of Homeland Security and Transportation. TSA found no other sources collecting information similar to what TSA collects through the CSR program. Based upon these consultations, however, TSA has reviewed the existing questionnaire and revised/rephrased the questions and instructions for the interviewer. The consultations did not extend to recordkeeping, disclosure, or reporting formats as TSA does not intend to mandate such efforts by the respondents.

TSA is in continuous dialogue with stakeholders and public comments were sought via 60 day notice in the Federal Register on April 26, 2011, (76 FR 23327) and a 30 day notice on July 7, 2007, (76 FR 39887) ; TSA received no comments.

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

TSA will not provide payment or gifts to respondents.

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

TSA assures respondents that the portion of their responses that is deemed Sensitive Security Information will be handled as such, as described in 49 CFR parts 15 and 1520.

**11. Provide additional justification for any questions of sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

TSA does not ask questions of a private, sensitive nature.

**12. Provide estimates of hour burden of the collection of information.**

In previous ICR submissions, the hour burden estimates included CSRs conducted by TSA Transportation Security Inspectors-Surface (TSI-S) as part of a random sampling of Hazmat carriers. Since TSA is no longer conducting CSRs on Hazmat entities, the estimated annual hour burden for this information collection is now 300 hours. While the total number of respondents is estimated to be 100, this estimate is based on TSA Highway and Motor Carrier Division (HMC) conducting an average of 100 visits for 2011 and 2012, each visit lasting 2-3 hours (100X 3 = 300).

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

TSA does not estimate a cost to the industry beyond the hour burden detailed in answer 12.

**14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, and other expenses that would not have been incurred without this collection of information.**

The annualized cost to the Federal Government is approximately \$63,333. The only cost to TSA is travel. The TSA cost estimate is based on sending one TSA HMC Headquarters Employee to each site visit, conducting 100 visits per year, and spending an average of \$1,900.00 per employee per visit ( $\$1,900 \times 1 \times 100 = \$190,000$ ). TSS typically schedule 2-3 CSRs per trip. Therefore, travel expenses are reduced by 1/3 ( $\$190,000/3 = \$63,333$ ).

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.**

TSA is no longer conducting CSRs on Hazmat entities. TSA will only conduct reviews on non-Hazmat entities. Thus, the estimated number of respondents and burden hours have been reduced since the previous ICR submission. The expected participation rate is not to exceed 100 CSRs annually.

**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.**

TSA will not publish the results of this information collection.

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

TSA will display the expiration date for OMB approval.

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

TSA is not seeking any exceptions to the statement in Item 19.