

SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT
SUBMISSIONS UNDER 5 CFR PART 1320
Information Collection 2133-0025

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 of each regulation mandating or authorizing the collection of information.*

MARAD/CG:¹ In 1975, the Maritime Administration, at the request of the Department of Navy, established the U.S. Merchant Vessel Locator Filing System (USMER) to enable the Navy and the Maritime Administration to maintain a current plot of U.S.-flag, and certain non U.S.-flag ships, in order to facilitate immediate marshaling of ships for national defense purposes.

Concurrently, the U.S. Coast Guard (USCG) operated the Automated Mutual-Assistance Vessel Rescue System (AMVER) receiving reports from ships of all nations for the purpose of maintaining a plot for Search and Rescue (SAR) for safety of life at sea. Participation in AMVER is voluntary.

Subsequently, the Maritime Administrator and the Commandant of the U.S. Coast Guard, with the concurrence of the Chief of Naval Operations, agreed that the objectives of USMER and AMVER should be met by a single reporting system. This merger was accomplished in 1986, eliminating the need for separate reports to two different agencies and effectively reducing reporting requirements by 50 percent. The new rule and reporting instructions was published in 46 CFR Subchapter F Part 307² as "Establishment of Mandatory Position Reporting System for Vessels."

Safety, in terms of a reduction in transportation-related deaths and injuries, is a Department of Transportation (DOT) strategic goal. This AMVER information collection supports the DOT's strategic goal on safety at sea by providing the U.S. Coast Guard with a vessel plot for Search and Rescue (SAR), including the medical evacuation of injured seamen. Additionally, this collection supports the Department of Homeland Security and Coast Guard strategic goal of Response/Maritime Safety/Reducing deaths and injuries on vessels.

¹ This Information Collection Request (ICR) Supporting Statement (SS) represents a combine collection for MARAD and CG related to AMVER. The MARAD AMVER ICR is mandatory, while the CG AMVER ICR is voluntary. Where the SS language relates to both elements of the ICR, the section begins with MARAD/CG. Where the SS language relates to only one Agency's input, the paragraphs within a section are broken into separate MARAD and CG elements.

² Available at— <http://www.gpo.gov/fdsys/pkg/CFR-2009-title46-vol8/pdf/CFR-2009-title46-vol8-chapII-subchapF.pdf>.

Authority: Section 204(b), 212(A), 1203(a) - Merchant Marine Act 1936, as amended (46 U.S.C. 1114(b), 1122.a, 1283; Public Law 9731 (95 Stat. 157 August 6, 1981); Regulation: 46 CFR Part 307 (51 FR 18329 May 19, 1986); 49 CFR 1.66 (46FR 47458 September 28, 1981). Search and Rescue (14 U.S.C. 2, 88, 90, 92, 93, 141, 142, 147, 149, 764, 821-832; 42 U.S.C. 249; 46 U.S.C. 721-731; P.L. 95-61; T.S. 502 (1908); T.S. 576.

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.*

CG: AMVER's primary purpose is to assist the U.S. Coast Guard in directing ocean-going ships to come to the aid of other ships which are in danger of sinking or experiencing other life-threatening situations. By maintaining a worldwide system of vessel positions, vessels can be diverted to come to the assistance of a near-by vessel that is in distress. In 2010, 142 ships from 29 countries were diverted to make rescues or assist other vessels which resulted in 265 lives saved. Please see the "2010 AMVER Business Report".³

MARAD: The Maritime Administration (MARAD) makes use of AMVER in a limited way in that we access information only on U.S.-flag vessels or those foreign-flag vessels which request that their position reports be made available to MARAD. The different purposes for which MARAD uses this information are: (1) To keep track of U.S.-flag vessels which are part of the Maritime Security Program. The ship owners of these military useful vessels receive an annual payment from MARAD to keep these vessels sailing commercially under U.S. registry and to make them available to the government in time of national emergency. (2) In the event of a localized area of danger (for example mines in a particular body of water) U.S. ships in the vicinity could be notified of the area to avoid. (3) A worldwide plot of U.S.-flag vessels under the Voluntary Intermodal Sealift Agreement (VISA) would assist with the possible use of these ships for national defense purposes.

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. Also describe any consideration of using information technology to reduce burden.*

MARAD/CG: In recent years, the available means for vessels to transmit AMVER messages has greatly evolved due to the technical improvements and innovations in shipboard communications and satellite technology. Presently the preferred method for ships to send AMVER message to the U.S. Coast Guard is by electronic mail to the following internet address: amvermsg@amver.com or amvermsg@amver.org. Electronic mail may be sent via satellite or via HF radio, depending on the ship's

³ Available at— <http://www.amver.com/reports.asp>.

equipment and arrangements with communications providers ashore. AMVER messages can also be combined with the National Oceanic and Atmospheric Administration (NOAA) weather reports. This system became functional in November 1998 under a cooperative agreement between NOAA and the U.S. Coast Guard. AMVER/SEAS software was developed for submitting both AMVER and weather reports. A ship can reduce reporting requirements since AMVER position reports are created from each weather message and automatically forwarded to the U.S. Coast Guard. Typically NOAA weather reports are sent from ships at sea every six hours whereas AMVER reports are sent every 48 hours. The e-mail path on shore to the AMVER center is at no-cost, but the communications service provider may still charge from ship-to-shore.

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.*

MARAD/CG: MARAD and USCG do not maintain duplicate systems as MARAD is a user of the USCG system. The DOD Office of Naval Intelligence (ONI) and certain law enforcement agencies operate a highly-classified locator system for military intelligence and drug enforcement purposes which cannot be used for AMVER purposes.

5. *If the collection of information impacts small businesses or other small entities, describe any methods used to minimize the burden.*

MARAD/CG: The rule only affects ocean ship operators in foreign trade whose businesses usually have annual receipts far in excess of a small business entity.

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 the burden.*

MARAD/CG: The continuous movement of ships at sea makes collection of positions any less frequently than every 48 hours impractical for maintaining the timely plots required for search and rescue and national security.

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 data with other agencies for compatible confidential use; or*
 - *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;*

MARAD/CG: With the exception of the 48-hour reporting requirement applicable to the first item, there are no special circumstances that require the collection of information to be conducted in a manner described above.

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.*

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 record-keeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

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

MARAD published a 60-day notice and request for comments on this information collection in the Federal Register. _

MARAD/CG: In carrying out their responsibilities, MARAD and USCG⁴ maintain continuous contact with U.S.-flag shipping companies and industry groups relative to AMVER and have been responsive to suggestions and improvements. The Coast Guard cooperates with other national and international agencies concerned with search and rescue, such as the National Search and Rescue Committee (NSARC), as well as with foreign governments.

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

MARAD/CG: No payments or gifts⁵ are provided to respondents.

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

CG: The USCG has a policy statement that the information collected under AMVER will be released only to recognized SAR authorities during a bonafide emergency. This is stated in the Commandant Instruction 16122.2 Series.

MARAD: Per 46 CFR Part 307, ship location information from AMVER is used by MARAD only with proper safeguards, and when used jointly with the Department of Defense may be classified at Confidential or higher levels during military exercises or actual national security situations.

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.*

MARAD/CG: There are no questions of a sensitive nature.

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

- *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 desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the*

⁴ To enhance AMVER outreach, the CG maintains an AMVER-related Web site and an AMVER Maritime Relations Office, see www.amver.com.

⁵ While no gifts are provided to AMVER participants, the CG has an AMVER Awards Program to recognize those vessels which regularly participate in the AMVER system, and those vessels/crews that have participated in rescues. Details at— <http://www.amver.com/awardsprogram.asp>

range of estimated burden and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.

- 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 83-1.
- Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in item 14.

MARAD/CG: The ICR totals are as follows:

- **The estimated annual number of respondents: 3,998**
- **The estimated annual number of responses: 731,634**
- **The estimated annual hour burden: 51,214**
- **The estimated annual cost burden is \$ 0**

MARAD: The MARAD mandatory participation burden on U.S.-flag and certain non-U.S.-flag vessels is in the table below.

Number of Respondents	Responses Per Respondent	Total Responses Annually	Hours Per Response	Total Hours Annually
183	183	33,489	.07	2,344

CG: The USCG voluntary participation burden on foreign flag vessels is in the table below.

Number of Respondents	Responses Per Respondent	Total Responses Annually	Hours Per Response	Total Hours Annually
3,815 ⁶	183 ⁷	698,145	.07 ⁸	48,870

⁶ Number of Respondents derived from 2010 AMVER Business Report – Number of Ships on Average Daily Plot.

⁷ Responses per Respondent derived from the AMVER request to have voluntary participating ships report to AMVER every 48 hours. This is 365/2 or 183 times per year (rounded).

⁸ Hours per response (0.07) is about 4 minute per response.

Total Number of <u>Burden Hours</u>	<u>Cost per Hour</u>	Total <u>Annual Cost</u>
51,214	\$33.89	\$1,735,642.46

Note: The hourly rate is for Captains, Mates, and Pilots of Water Vessels. Foreign Flag Ship Captains, Mates, and Pilots may make considerably less.

MARAD/CG: Cost estimate: There are no recordkeeping requirements for respondents and no burden hour costs associated with this collection of information.

Ship's crew time spent on preparing and transmitting the message occurs during regular watch and thus no cost is identified. On most vessels the deck officer on watch processes the report as part of his routine watch standing duties.

There is no cost for radio equipment as this is the same as required by the Federal Communication Commission (FCC), USCG and International Maritime Organization (IMO) maritime regulations.

There are no other overhead or administrative expenses known to be incurred by respondents.

13. *Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in items 12 and 14).*

o The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining and disclosing or providing the 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. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

o If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.

0 Generally, estimates should not include purchases of equipment or services, or portions thereof made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

MARAD/CG: There are no capital or start-up costs associated with this information 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 not have been incurred without this collection of information. Agencies also may aggregate cost estimates from items 12, 13, and 14 in a single table.

MARAD/CG: The total annual cost to the Federal Government for processing the collection is estimated as follows:

One-time Costs: None

Annual Costs: The estimated annual cost for the U.S. Coast Guard for AMVER is about \$2.5 million.⁹ The MARAD communications cost are about \$20,093 (33,489 annual responses x \$.60 cost per message).

Total Annual Cost to Federal Government: Approximately \$2,520,093

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

MARAD: The total number of U.S.-flag ships reporting to MARAD remains 183 since the last Paperwork Reduction Act Submission.

CG: The addition of the AMVER voluntary participation element into this ICR is new, per OMB/OIRA guidance.

16. For collections of information whose results are planned to 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.

MARAD/CG: Information collected will not be published.

16. If seeking approval to not display the expiration date for OMB approval of the

⁹ Cost estimate derived from a 2009 analysis by the USCG AMVER Program Office (CG-534). These costs include communication, operation, outreach and program management costs.

information collection, explain the reasons that display would be inappropriate.

MARAD/CG: Not applicable.

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

MARAD/CG: Not applicable.