

**SUPPORTING STATEMENT FOR
PAPERWORK REDUCTION ACT SUBMISSION UNDER 5 CFR PART 1320
INFORMATION COLLECTION: 2133-0504**

Justification

1. Explain the circumstances that make the collections 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.

46 U.S.C. states that excess or surplus property can be made available only to approved maritime training institutions for specific purposes. This information collection provides a justification for the intended use of the property by the maritime training institution in compliance with the statute.

Maritime schools (except for the U.S. Merchant Marine Academy) were unable to obtain excess/surplus property expeditiously through the government's General Services Administration (GSA) acquisition procedures until special authority was granted to the Maritime Administration (MARAD) by the Congress with the enactment of PL 96-453.

Now that the maritime training schools may acquire surplus property (particularly vessels) expeditiously, they are better able to support the National Security and Economic Growth and Trade goals identified in the DOT Strategic Plan. The maritime schools can effectively train men and women for the dual roles of supporting commercial fleet demands in peacetime and of providing sealift support to our Armed Forces as the "fourth arm of defense" in time of war or national emergency.

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.

The application letter submitted by the maritime training institution, informs MARAD's Office of Sealift Support of the need for an excess or surplus property item that is critical to the training needs of the maritime institution. The Office of Sealift Support enters the request for a property item in a database and proceeds to locate and acquire the item commensurate with the procedures which have been established. A Standard Form 122 (Transfer Order Excess Personal Property) is completed by the property owner on behalf of the requesting institution and mailed to the appropriate GSA office, in accordance with Federal Property Management Regulations. When GSA has approved the transfer request and all other MARAD transfer agreements have been signed (by the institution and MARAD), the documents are retained in MARAD and the institution is sent a copy of the transfer agreement for their records. The requesting institution is notified by MARAD that the excess/surplus property is available for pick-up. The cost of packaging, handling and transporting the property is the sole responsibility of the requesting institution as is maintenance, indemnification, liability for property damage, death,

personal injury arising from the use of the Government property and adherence to environmental concerns.

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.

The method devised by MARAD to collect information is simple and does not constitute an appreciable information burden. We encourage the academies and nonprofit organizations to provide their letters of application to the Maritime Administration electronically to expedite the process of handling their request.

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 routinely examines GSA regulations pertaining to the disposal of excess and surplus property. Public Law 96-453 specifically exempts MARAD from standard GSA property disposal regulations to facilitate the acquisition and transfer of excess or surplus property to approved maritime institutions. A review of relevant sections in the Catalog of Federal Domestic Assistance did not reveal a maritime program similar to this one.

The authority in Section 1308 (b) of PL 96-453 permits MARAD to acquire excess/surplus property outside the normal GSA property disposal system and independent of its data requirements. Therefore, MARAD has devised its own method to collect information which requires specific data not found in any other agency information collection forms.

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

The time required to complete an application for excess surplus property is one hour or less. The application is in the form of a letter containing only the information which is required to process it such as name, address, description of property requested, its location, and an indication of how the property will be used to satisfy maritime training requirements.

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.

The intent of PL 96-453 is that property should be requested only when there is a legitimate need for an item related to a specific maritime training purpose. There is no schedule or required collection frequency. There would be no technical or legal obstacles

if the use of improved information technology to reduce burden was considered necessary.

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 a 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.

There are no special circumstances that would require this 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.

The Maritime Administration published a 60-day notice and request for comments on this information collection in the Federal Register **(76 FR 60116) on September 28, 2011**, indicating comments should be submitted on or before November 28, 2011. No comments were received.

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

No payment or gift is given to respondents.

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

No specific assurance of confidentiality has been provided to respondents.

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.

The agency does not request any information which is considered to be 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 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-I.
- 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.

The number of respondents is ten (10). This number includes the U.S. Merchant Marine Academy, six state academies and other approved non-profit maritime training institutions. The time required to submit each application letter to the Federal Government is estimated as one hour; no more than four applications per year times 1 hour per application = four hours x 10 or 40 hours; however, the actual number of institutions submitting applications in any one year is less than ten.

<u>Number of Respondents</u>		<u>Responses Per Respondent</u>	=	<u>Total Responses Annually</u>		<u>Hours Per Responses</u>	=	<u>Total Hours Annually</u>
10	x	4	=	40	x	1	=	40

The reporting burden for all maritime institutions is similar because despite the varying size of their student populations, their training needs are virtually the same. The annual estimated cost to be incurred by respondents is:

- Cost of making an excess/surplus property request = number of hours required x professional salary.
40 hours x \$60.49 = \$2,419.60 (GS-13 step 7)
- 1 hour per transaction of professional cost is \$60.49 per hour.
Total cost = **\$2,419.60**

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).

- 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.

- 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.
- 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.

(a) Total Capital and Start-Up Costs Estimate: There are no capital or start-up costs associated with this information collection.

(b) Total Operation and Maintenance and Purchase of Services Estimate: There are no operational and maintenance associated with this information collection. However, there is a cost for mailing the “Agreement for Donation of Federal Property” to MARAD after the requesting institution has signed. The cost for mailing is \$17.60. (40 agreements times .44 postage).

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.

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

Cost of processing 40 excess/surplus property requests annually at 2 hours per request = number of hours required x GS-14 step 7 hourly rate.

$$80 \text{ hours} \times \$60.49 = \$4839.20$$

Cost of Overhead 85% of processing cost = \$4113.32

Total annual cost to the Federal Government = **\$8952.52**

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

No program changes or adjustments were reported in items 13 or 14 of the OMB Form 83-I.

16. For collections of information whose results are planned to be published for statistical use, outline plans for tabulation, statistical analysis, and publication. 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.

There are no plans to publish the results of the information collection for statistical purposes.

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.

No approval to not display the expiration date is being requested.

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

There are no exceptions.