SUPPORTING STATEMENT FOR
REQUESTING EXPRESSIONS of INTEREST for the
DEPARTMENT OF HOMELAND SECURITY (DHS)
OFFICE OF HEALTH AFFAIRS (OHA)
CHEMICAL DEFENSE DEMONSTRATION PROJECT
OMB Control No.: 1601-NEW
COLLECTION INSTRUMENT(S): NOTICE to REQUEST EXPRESSIONS OF INTEREST for PERFORMING a CHEMICAL DEMONSTRATION PROJECT

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 regulation mandating or authorizing the collection of information.

The Chemical Defense Program within the Department of Homeland Security Office of Health Affairs is developing a comprehensive chemical defense framework by using best practices and lessons learned from demonstration projects which may be tailored to any community. The purpose of this request for information is to identify communities interested in participating in a demonstration project that will increase the community's and nation's resilience to catastrophic chemical incidents. The goal of this collection is to select four communities to participate in the demonstration projects as required by the FY12 and FY13 Appropriations Acts.

Public Law 112-74, Consolidated Appropriations Act, 2012 and Conference Report 112-331, Military Construction and Veterans Affairs and Related Agencies Appropriations Act, 2012, Text of the Joint Statement of Managers, Division D increased the Chemical Defense Program (CDP) budget with an additional $3 million in order to perform at least two demonstration projects. This funding is 2-year funding.

The FY 2012 Conference Manager's notes specifically calls for competitive selection for the demonstration projects. Furthermore, the FY 2012 Senate Appropriations Committee Report specifically calls for the following: "The increase is provided to complete at least two additional demonstration projects in OHA's ongoing effort to build an end-to-end chemical defense architecture. The site shall be competitively selected through the current process based on requirements, priorities, and specifications of the overarching chemical detection architecture. The Committee expects that OHA will prioritize demonstration projects based on risk, and understands that new demonstrations are being considered at airports, outdoor stadiums, and ports. The Committee is concerned that current demonstration projects do not address the threat of terrorist attacks, vessel collisions, or accidental releases at shoreline or riverine chemical facilities and refineries in population centers within the United States and urges the development of a *new demonstration project to address the threat to this critical infrastructure sector within 1 year."*

In addition, OHA received FY2013 funds for two additional demonstration projects (see P.L. 133-6). The FY 2013 Senate Appropriations Committee report (S.1588) states "In fiscal year 2012, funding was provided for two additional demonstration projects. The competition for those projects, based on risk, is projected to go forward in May 2012. The Committee recommends an increase of $1,500,000 above the request for two additional demonstration projects, to be competitively awarded, to ensure all high-risk situations are studied and useful information is made available on mitigation and response measures."

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 information will be used by a selection team comprised of Department of Homeland Security representatives from Federal Emergency Management Agency, Science and Technology Directorate, United States Coast Guard, United States Secret Service, Infrastructure and Protection, Transportation Security Administration, and Office of the Inspector General to evaluate respondents that are requesting to host a chemical defense demonstration project.

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.

   A response form has been created which identifies the required questions needing a response. All responses may be submitted via electronic means such as email or fax. Digital signatures, both digitally scanned image signatures and digitally created signatures, are acceptable.

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.

   This effort requires unique information and is unavailable without interested communities' responses.

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 burden.

This collection will not impact 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.

   OHA will not be in compliance with the Congressional requirements set forth in HR 2055 and the accompanying Congressional reports.

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 of 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.

8. If applicable, provide a copy and identify the data 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.

A 60 Day Federal Register Notice soliciting for public comments was published on Friday, February 8, 2013 at 78 FR 9405. No comments were received.

A 30 Day Federal Register Notice soliciting for public comments was published on Thursday, June 6, 2013 at 78 FR 34112. No comments were received.

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

There are no payments of gifts provided to the respondents for this collection of information.

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

There is no assurance of confidentiality provided to the respondents for this collection of information. This collection is covered by the Privacy Impact Assessment titled DHS/ALL/PIA-006 DHS General Contact Lists and the SORN titled DHS/All 002 Mialing and Other Lists System.

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 person’s form whom the information is requested, and any steps to be taken to obtain their consent.

This collection does not ask any 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 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.

- 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

Type of Respondent	Form Name / Form Number	No. of Respondents	No. of Responses per Respondent	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Total	Notice to Request Expressions of Interest for Performing a Chemical Defense Demonstration Project	50	1	20	1000	$56.25	$56,250

The number of respondents is based upon at least three responses for each of the high risk venues (16) identified in the 2012 Chemical Terrorism Risk Assessment. The burden was estimated based on four hours to answer each of the five questions. This estimate provides three hours of research by an intermediate to senior level analyst and one hour of review and approval by senior management. Research identified an estimated burdened rate of $45.00 per hour for the analyst and $90.00 per hour for senior management. This results in an estimated $1125.00 burden for each respondent to respond to the request for expressions of interest for a total burden of $56,250.00.

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.

Annualized Records Management Costs		
Support Staff Rate	Support Staff Hours	Annualized Federal Burden
$80.00	20	$1600.00
$80.00	2	$160.00
$80.00	2	$160.00
$80.00	2	$160.00
$80.00	2	$160.00

Support staff rates were estimated based on salary information from current support contracts. Hours were based on current efforts within the program.

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.

	Annualized Cost to the Federal Government						
	Collection Tool Creation				Selection Process		Annualized Federal Burden
	FTE Rate	FTE Hours	Support Staff Rate	Support Staff Hours	FTE Rate	FTE Hours	
Year 1	$59.22	30	$80.00	50	$67.21	200	$19218.60
Year 2	N/A	0	N/A	0	N/A	N/A	$0.00
Year 3	N/A	0	N/A	0	N/A	N/A	$0.00
Year 4	N/A	0	N/A	0	N/A	N/A	$0.00
Year 5	N/A	0	N/A	0	N/A	N/A	$0.00

Determination of the FTE labor rate was determined by a weighted average of hourly rates of GS-13, GS-15 (step 5) and Public Health Service O-6 Federal Employees. Support staff rates were estimated based on salary information from current support contracts. Hours were based on current efforts within the program.

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

    This is a new collection.

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.

    The results of this collection will not be published.

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.

    DHS will display the expiration, upon approval by OMB, for this collection of information.

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

DHS is not seeking any exceptions associated with the certification statement.