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SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSIONS  
UNDER 5 CFR PART 1320  
Information Collection: 2133-NEW  
Quarterly Readiness of Strategic Seaport Facilities Reporting

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.**

This collection of information supports DOT's Security, Preparedness and Response Strategic Goal and the Maritime Administration (MARAD) commitment to the Department of Defense (DoD).

Pursuant to delegated authority under the Defense Production Act (50 U.S.C. App. 2061-2170), EO 13603, EO 12656, and 46 CFR 340; the Maritime Administration (MARAD) issues a pre-emergency standby Port Planning Order (PPO) to each strategic commercial seaport (port) designated by the Commander, Military Surface Deployment and Distribution Command (SDDC). The PPO notifies the port authority that the port is required to grant DoD priority use of the PPO delineated facilities within 48 hours (or PPO delineated timeframe) of notification to support emergency military deployment. The PPO requires the port to notify MARAD promptly if the port anticipates the port would have difficulty in complying with a Priority Order granting DoD priority use of the facilities specified in the PPO, with an explanation of the reasons therefore. MARAD reissues the PPO annually after verifying the continued DoD requirement with SDDC and confirming the port's acceptance of the PPO requirements.

Pursuant to DoD request since the 1980s, MARAD has been requesting and receiving a Monthly Readiness Report on Facilities Listed in Port Planning Order from each port to validate the port's ability to provide the PPO delineated facilities to DoD within the PPO delineated time frame. The requested information is maintained routinely by the port for normal port operation and management purposes. No unique information is required by the Government for the purpose of this report. The port is not required to conduct any additional recordkeeping for this report. MARAD compiles and submits a consolidated report to SDDC who uses the information to conduct a quarterly DoD readiness assessment of the strategic commercial seaport's availability and readiness to meet DOD contingency plans for emergency military deployment.

The General Accountability Office (GAO) recently completed a congressionally requested audit of the strategic commercial seaports program. See GAO Final Report, GA0-14-184SU, 'STRATEGIC SEAPORTS: Opportunities Exist to Improve Interagency Coordination, Readiness Reporting, and Port Preparedness,' dated February 02, 2014 (GAO Code 351812). GAO recommended that MARAD collect additional data quarterly from the strategic commercial ports. MARAD coordinated with SDDC to draft a revised questionnaire

incorporating the GAO recommendations. On September 4, 2014, DoD requested MARAD to reduce the readiness report frequency from monthly to quarterly.

MARAD conducted an internal review to determine if the revisions to the questionnaire required OMB approval. MARAD could not find any agency record of OMB approval for the historical data collection effort which has been ongoing for more than 25 years. Hence, MARAD has initiated this request for OMB approval. Since the readiness information is essential for DoD contingency planning, MARAD will continue the historic collection effort with the old questionnaire but include the notice required by 5 CFR 1320.10(d). The revised questionnaire, incorporating GAO recommendations, will be implemented only after obtaining OMB approval.

**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 received has historically been used, and will continue to be used, by MARAD and Department of Defense (DoD) personnel to evaluate strategic commercial seaport readiness to meet contingency military deployment needs and make plans for the use of this capability to meet national emergency requirements. DoD now requires this information on quarterly basis for DoD contingency planning and readiness evaluation purposes. The contingency plans, with accompanying data, are classified and not available to the general public.

MARAD also uses the information to develop agency performance metrics to assess compliance with MARAD and DOT performance goals.

**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 proposed collection of information utilizes an automated Adobe electronic form which can be easily completed within a few minutes by each strategic port and emailed to MARAD. This approach reduces the burden on each port.

**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.**

The data from each port will affirm the port's readiness to provide specific facility requirements to meet emergency military deployments and is therefore unique and necessary.

An examination of the Catalog of Federal Domestic Assistance and the Catalog of Federal Paperwork Requirements did not reveal any similar information collections. Discussions with the respondent ports confirmed that they do not provide similar information to any other federal government agency.

**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.**

Strategic commercial ports are state or local public port authorities and not small business as defined by the Small Business Administration criteria.

**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, MARAD and the DoD would not be able to determine the availability and readiness of strategic commercial seaports to support emergency U.S. military deployments in time of war or national emergency.

**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;**

Not applicable. DoD has reduced its required frequency to enable the strategic ports to submit readiness reports on quarterly basis.

- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

Not applicable. DoD requires this information on the first day of each quarter. MARAD will provide the questionnaire annually to each port and request them to submit it quarterly. MARAD will send an email reminder to each port 30 days before the due date of each quarterly report.

- **requiring respondents to submit more than an original and two copies of any document;**

Not applicable. Strategic ports are required to submit only one copy electronically.

- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

Not applicable. Strategic ports are not required to retain any records related to information collection.

- **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;**

Not applicable. This information is not utilized for a statistical survey.

- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**

Not applicable.

- **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**

Not applicable.

- **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.**

Not applicable.

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.**

MARAD published a 60-day notice and request for comments on this information collection in the Federal Register on September 23, 2014, (79 F.R. 56849) indicating comments should be submitted on or before November 24, 2014. No comments were received.

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

MARAD has consulted with and incorporated the recommendations of US Transportation Command (USTRANSCOM), SDDC and other member agencies of the interagency National Port Readiness Network (NPRN).

MARAD has incorporated the recent GAO recommendations.

- **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 consults periodically with the strategic commercial seaports regarding their readiness reporting. On March 24, 2014, MARAD briefed the National Defense Committee, American Association of Port Authorities regarding the proposed changes in the quarterly reports and did not receive any objections. This industry group represents the strategic commercial seaports.

GAO met with a number of the ports during their recent audit for the GAO Report.

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

No payments or gifts are or will be provided to respondents.

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

All data collected from the strategic commercial seaports will be maintained and treated by MARAD as For Official Use Only (FOUO) and is not intended for release to the general public. MARAD will take all necessary steps to protect proprietary or classified data. Due to the business sensitivity and national security implications of the collected information, MARAD will claim statutory exemptions (#1- national security and #4 - confidential commercial information) to prevent release if we receive any Freedom of Information Act (FOIA) requests.

**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.**

Not applicable. 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 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.

<u>Number of Respondents</u>		<u>Responses Per Respondent</u>	=	<u>Total Responses Annually</u>		<u>Hours Per Response</u>	=	<u>Total Hours Annually</u>
16	x	4		64	x	1		64

A determination of the estimated number of hours required per response was made after consultation with several respondents.

It is estimated that one employee spends approximately one hour of their time collecting and assimilating the information submitted with each response. Therefore, given an average salary of \$50 per hour, the total cost to the respondents is as follows:

<u>Total Annual Number of Responses</u>		<u>Hours Per Response</u>		<u>Cost Per Hour</u>	=	<u>Hours Cost Annually</u>	+	<u>Other Cost Annually</u>	=	<u>Total Cost Annually</u>
64	x	1	x	\$50		= \$3,200	+	\$2,720 *		= \$5,920

\* Overhead and General & Administrative expenses @ 85%.

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers 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 operation and maintenance 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.**

The total annual cost to the Federal Government for processing the collection is estimated as follows: One GS-14 employee at an hourly wage of approximately \$54.49 to collate the 16 quarterly responses is estimated to take approximately 2 hours.

<u>Number of Employees</u>	<u>Hourly Wage</u>	<u>Project Time</u>	<u>Cost Per Letter</u>
1 x	\$54.59	x 2 hours	= \$ 109.18
Overhead at 85%			= \$ 92.63
Sub-total			= \$ 201.81
Times 4 times per year			= \$ <b>807.24</b>

Maximum Total Annual Cost to Federal Government: **\$807.24**

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

GAO Report GA0-14-184SU, dated February 02, 2014, recommended that Commander, US Transportation Command direct SDDC to use additional criteria in DoD's quarterly readiness

assessment of the strategic commercial seaports. GAO further recommended that the Secretary of Transportation direct MARAD to collect the additional SDDC designated data from the strategic commercial ports. Pursuant to the GAO recommendations, MARAD has revised the current one-page questionnaire to incorporate the additional SDDC requested criteria. SDDC has reduced the required frequency of the reports from the historical monthly reporting to quarterly reporting. The revised two-page questionnaire will result in a slight increase in the time burden on respondents for each report. However, the annual number of reports has decreased from twelve to four resulting in a significant decrease in the annual burden on respondents. The quarterly questionnaire is the only information collected from the strategic commercial ports on a regular basis.

**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.**

There are no plans to publish the results of this information collection. Since this information collection summarizes readiness of the nation's ports to support military deployments, the results are for official use only by MARAD and the Department of Defense. Due to the information's business sensitivity and national security implications, MARAD does not intend to disseminate the results of this information collection to the public.

**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.**

MARAD is not seeking such approval.

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

Not applicable. There are no exceptions to the certificate statement.