

INFORMATION COLLECTION SUPPORTING STATEMENT

BASELINE ASSESSMENT FOR SECURITY ENHANCEMENT (BASE) PROGRAM

1652-0062

- 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 (TSA) has broad authority with respect to transportation security and supported with specific powers related to the development and enforcement of regulations, security directives (SDs), security plans, and other requirements. For example, under the Aviation and Transportation Security Act (ATSA)¹ and delegated authority from the Secretary of Homeland Security, TSA has broad responsibility and authority for “security in all modes of transportation . . . including security responsibilities . . . over modes of transportation that are exercised by the Department of Transportation.”² Consistent with this authority, TSA is the federal agency responsible for “assess[ing] the security of each surface transportation mode and evaluat[ing] the effectiveness and efficiency of current Federal Government surface transportation security initiatives.” EO 13416, section 3(a) (Dec. 5, 2006). While many surface transportation entities have security and emergency response plans or protocols in place, no single database exists, nor is there a consistent approach to evaluating the extent to which security programs are in place across the surface transportation domain.

TSA has met this assessment requirement through the Baseline Assessment for Security Enhancement (BASE) program, which provides domain awareness, prevention, and protection program in support of TSA’s and the Department of Homeland Security’s (DHS) missions. TSA initially developed the BASE program for public transportation systems to evaluate the status of security and emergency response programs throughout the nation and, based on the program’s success, expanded it into the highway transportation domain.³ The BASE is a completely voluntary program, with no penalties for declining to participate or for not having any voluntary security elements in place. Specifically, a BASE review assesses the security measures of a transportation system and gathers data used by TSA to address its responsibilities, such as evaluating “effectiveness and efficiency of current Federal Government surface transportation security initiatives” and developing modal specific annexes to the Transportation Systems Sector Specific Plan that include “an identification of existing security guidelines and requirements and any security gaps....” EO 13416, Sec. 3(c) (i).

¹ Pub. L. 107-71 (Nov. 19, 2001).

² 49 U.S.C. § 114(d).

³ Previously, for highway transportation, TSA met the assessment requirement through Corporate Security Reviews (CSRs) with organizations engaged in transportation by motor vehicles and those that maintain or operate key physical assets within the highway transportation community (DISCONTINUED TSA OMB control number 1652-0036). TSA consolidated these assessment programs within surface modes of transportation under the BASE program, TSA OMB control number 1652-0062.

TSA originally had two BASE collections, namely Public Transportation BASE (former TSA OMB control number 1652-0061) and Highway BASE (TSA OMB control number 1652-0062). In order to simplify the collection and reduce duplication, TSA has combined these two previously-approved Information Collection Requests into a single request, under TSA OMB control number 1652-0062.

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's Surface Transportation Inspectors (TSIs) are trained to conduct BASE reviews during site visits with security and operating officials of transportation systems. These TSIs capture and document relevant information using a standardized electronic checklist. Advance coordination and planning ensures the efficiency and effectiveness of the assessment process. Stakeholders may also obtain a checklist in advance from TSA and conduct self-assessments of their security readiness.

A BASE review evaluates a surface transportation system's security program components using a two-phased approach: (1) field collection of information, and (2) analysis/evaluation of collected information. The information collected by TSA through BASE reviews strengthens the security of surface transportation systems by supporting security program development (including grant programs), and the analysis/evaluation provides a consistent road map for stakeholders to address security and emergency program vulnerabilities. TSA provides all surface transportation systems that undergo a BASE review with a comprehensive report of results that can be used to identify and prioritize vulnerabilities to enhance security. The report includes a score derived from the checklist, which is category and question-based, and both are weighted. Each category is then scored and the BASE score is an average of all categories.

Specifically, the information collected will be used as follows:

1. To develop a baseline understanding of a transportation system's security and emergency management processes, procedures, policies, programs, and activities against security requirements and recommended security practices published by TSA and the Department of Transportation (DOT).
2. To enhance a transportation system's overall security posture through collaborative review and discussion of existing security activities, identification of areas of potential weakness or vulnerability, and development of remedial recommendations and courses of action.
3. To identify programs and protocols implemented by a transportation system that represent an "effective" or "smart" security practice warranting the sharing of information across the relevant modal community to foster general enhancement of security.
4. To inform TSA's development of security strategies, priorities and programs for the most effective application of available resources. In mass transit, the BASE is a supporting element for funding distributed under the Transit Security Grant Program.

Since information in completed assessments constitutes “Sensitive Security Information” (SSI) pursuant to 49 U.S.C § 114(r) and 49 CFR parts 15.5 and 1520.5, TSA designates and marks the data as SSI and protects it in accordance with the requirements set forth in the law and regulations. Transportation systems identifying vulnerabilities in a BASE self-assessment may constitute SSI and, if so, should be protected and marked according to 49 CFR parts 15 and 1520.

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.]***

The majority of the information collected relevant to a BASE review is through the site visit. During BASE reviews, inspectors capture and document relevant information through electronic means, utilizing an electronic checklist, in compliance with GPEA.

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 continually searches for similar information from our Federal partners but has found no other sources collecting information that is covered by the surface transportation system BASE 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 public and highway transportation industry’s security posture. TSA is sensitive to the burden on the industry from complying with requests for information and has taken appropriate steps to avoid overlap where possible. For example, development of the questions used in the BASE programs received input from DOT and its modal administrations as well as industry partners, through the Office of Security Policy and Industry Engagement’s Peer Advisory Group (PAG).

While TSA is the lead federal agency for all modes of transportation, TSA previously decided to limit the Highway BASE to non-hazardous material carriers and shippers in order to avoid duplication with the Federal Motor Carrier Safety Administration (FMCSA) assessments for compliance with requirements of the Pipeline and Hazardous Materials Administration (PHMSA).

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 be unable to assess current security practices in the public and highway transportation sectors, and will, therefore, be unable to fully exercise its oversight authority as provided for under ATSA and delegated authority from the Secretary of Homeland Security. If the information 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 surface transportation sector. This information allows TSA to adapt programs to the changing threat, while incorporating an understanding of the improvements owners/operators make in their security posture, whereas without this information, the ability of 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 transportation systems to respond to any incidents.

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 is in continuous dialogue with transportation system stakeholders. TSA published a 60-day notice in the Federal Register on February 11, 2015 (80 FR 7623) and a 30-day notice, on May 13, 2015 (80 FR 27340).

The agency received a comment from one of its stakeholders, the Washington Metropolitan Area Transit Authority (WMATA). The commenter encouraged collaboration between TSA and Federal Transit Administration (FTA) to better align strategies for achieving common objectives for transit security programs.

TSA and FTA currently work together to help delineate clear lines of authority and responsibility to promote communications, efficiency and non-duplication of efforts in the area of transportation security based on existing legal authorities and core competencies. TSA's BASE is primarily designed to establish a "baseline" of the security programs and posture of an assessed stakeholder. The elements within the BASE assist in determining the current security posture and then offer a set of guidelines to improve the baseline score. These standards are created with the assistance of

industry stakeholders and reviewed on an annual basis. FTA focuses on mandatory safety standards rather than on security-related guidelines. At the present time, FTA is moving away from security guidelines in favor of mandatory safety requirements.

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.

While TSA does not offer any assurance of confidentiality, portions of the information provided by respondents and the resulting BASE reviews may be designated Sensitive Security Information (SSI), as determined by the TSA SSI Office, and are handled in accordance with 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 or sensitive nature.

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

The estimated annual hour burden for this information collection is **3,360** hours for **public transportation**. This estimate is based on TSA Surface Inspectors conducting an average of 140 visits for FY 2015, each public transportation system visit lasting approximately 24 hours (140 X 24 = 3,360).

| Hour Burden for Information Collection | | |
|---|-----------------------|--------------------|
| Number of Respondents | Hour Burden Per Visit | Annual Burden |
| 140 | 24 | 3,360 hours |

The estimated annual hour burden for this information collection is 3,000 hours for **highway transportation**. This estimate is based on TSA Surface Inspectors conducting an average of 750 visits for FY 2015, each visit lasting 2-4 hours (750 X 4 = **3,000**).

| Hour Burden for Information Collection | | |
|---|-----------------------|---------------------|
| Number of Respondents | Hour Burden Per Visit | Annual Burden |
| 750 | ≤4 hours | ≤3,000 hours |

Thus, TSA estimates the total annual hour burden for all aspects of this collection to be **6,360** hours with **890** respondents.

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

No costs are associated above and beyond the respondent burden hours.

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 \$1,100,367.00.

| Cost to the Federal Government-Public Transportation | | |
|--|----------------|-----------------------|
| Annual Inspector Visits | Cost Per Visit | Annual Cost |
| 140 | \$7,324.05 | \$1,025,367.00 |
| Cost to the Federal Government-Highway Transportation | | |
| Annual Inspector Visits | Cost Per Visit | Annual Cost |
| 750 | \$100 | \$75,000 |
| TOTAL COST | | \$1,100,367.00 |

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

TSA originally had two BASE collections, namely Public Transportation BASE (former TSA OMB control number 1652-0061) and Highway BASE (TSA OMB control number 1652-0062). In order to simplify the collection and reduce duplication, TSA has combined these two previously-approved Information Collection Requests (ICR) into a single request, under TSA OMB control number 1652-0062. As such, the burden of Highway Transportation, OMB control number 1652-0062, has increased due to the inclusion of the burden of Public Transportation, OMB control number 1652-0061. Upon approval of the proposed revisions to this ICR, TSA intends to discontinue OMB control number 1652-0061, Public Transportation.

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 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 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.

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