

SUPPORTING STATEMENT
1110-0048
CARGO THEFT INCIDENT REPORT

A. Justification

1. Necessity of Information Collection

Public Law 109-177 (H.R. 3199), March 9, 2006, *USA Patriot Improvement and Reauthorization Act of 2005*, mandated the Attorney General to “take the steps necessary to ensure that reports of cargo theft collected by federal, state, and local officials are reflected as a separate category in the FBI Uniform Crime Reporting (UCR) System.” The *Cargo Theft Incident Report* provides the FBI UCR Program with information about each cargo theft to include at least one of 13 offense classifications; location of the cargo theft; type of weapon used (if any); monetary value, and a description of the property stolen, whether the property is recovered; victim type; as well as the age, sex, race, and ethnicity demographics of the associated offender(s) and arrestee(s).

2. Needs and Uses

The FBI’s UCR Program serves as the national clearinghouse for the collection and dissemination of cargo theft crime data. The *Cargo Theft Incident Report* is a necessary mechanism to enable law enforcement agencies (LEAs) to report incidents of cargo theft to the FBI. These data have been mandated for collection in an effort to capture the essence of the national cargo theft crime problem and its negative impact on the economy and national security of the United States. Quality cargo theft data is a valuable resource to LEAs, the academic community, government entities, the general public, and the media to identify potential cases of organized crime, drug trafficking, or funding of terrorism to accurately depict the nation’s cargo theft losses.

The UCR collection of cargo theft data is quite new with only three years of data published. While the number of participating agencies and cargo theft incidents reported has increased each year, much of the incident data was removed from the database due to the State UCR Program’s inability to verify the data. Until more states incorporate the cargo theft collection into their record systems or establish more accurate data quality measures, the UCR Program will be unable to provide an accurate measure of the national cargo theft problem.

3. Use of Information Technology

Currently, all FBI UCR Program participants submit their crime data electronically. Agencies have the option to submit their cargo theft data to the FBI via three electronic methods: the National Incident-Based Reporting System (NIBRS), the Cargo Theft Technical Specification, or the UCR Summary Microsoft Excel Workbook Tool. All methods are submitted by e-mail at <ucrstat@leo.gov>. Once the cargo theft data are received at the FBI, it is ingested into the Cargo Theft database and included in the Cargo Theft annual publication.

At this time, forty-eight states that participate in the FBI UCR Program have a centralized repository serving as a State UCR Program. State UCR Programs streamline the collection of UCR data from local LEAs, ensure consistency and comparability of data, and provide a higher quality of service to the law enforcement community. The establishment of a State UCR Program is not limited to state governments. Territorial, tribal, and federal agencies may also institute UCR Programs, provided they are willing to meet the following requirements:

- The State UCR Program must conform to the National UCR Program’s submission standards, definitions, specifications, and required deadlines.
- The State UCR Program must establish data integrity procedures and have personnel assigned to assist contributing agencies and quality assurance practices and crime reporting procedures.
- The State UCR Program’s submissions must cover more than 50 percent of the LEAs within its established reporting domain and be willing to cover any and all UCR-contributing agencies who wish to use the UCR Program from within its domain. (An agency wishing to become a UCR Program is willing to report for all of the agencies within the state).
- The State UCR Program must furnish the FBI UCR Program with all of the UCR data collected by the LEAs within its domain.

The requirements listed above can be found in the Cargo Theft User Manual at <<https://ucr.fbi.gov/cargo-theft-user-manual>>. These standards do not prohibit a state from gathering other statistical data beyond the national collection.

Several State UCR Programs have established electronic communications with their LEAs throughout their state. Agencies submit data to their State UCR Program who in turn forward it to the FBI. This link between the FBI UCR Program and the State UCR Programs allows for information technology interaction for adopting new UCR initiatives within the required electronic data submission formats.

4. Efforts to Identify Duplication

This information collection was authorized in direct response to Public Law 109-177 (H.R. 3199), enacted March 9, 2006 aptly titled *USA Patriot Improvement and Reauthorization Act of 2015*. This law mandated the FBI to establish a cargo theft data collection within the UCR system. Although cargo theft data is published from various sources, the FBI’s UCR Program is the only federal agency mandated by law with collecting cargo theft data.

5. Minimizing Burden on Small Businesses

This information will have no significant impact on small entities. The law enforcement community requested the forms be collected on a monthly basis, since police records are run on a calendar month. While monthly submissions are recommended, upon approval by the FBI UCR Program, agencies can submit data at intervals, e.g., monthly, quarterly, semi-annually, or annually; that minimizes the burden to the agency.

6. Consequences of Not Conducting or Less Frequent Collection

Public Law 109-177 (H.R. 3199), *USA Patriot Improvement and Reauthorization Act of 2005*, mandates the FBI UCR Program to collect cargo theft data. If the FBI were to discontinue the collection of this data, the UCR Program would be out of compliance with this law. UCR participants currently submit their cargo theft data on a monthly basis, however, if approval is received from the FBI, states/agencies can submit this data at less frequent intervals. To help

reduce burden, the FBI UCR Program has provided agencies with electronic data submission methods.

7. Special Circumstances

Participation in the National UCR Program is voluntary. Cargo Theft data is collected/received from UCR Program participants on a monthly basis, but can be submitted less frequently with FBI approval. The FBI's UCR Program has established various time frames and deadlines for acquiring the monthly data. Monthly reports/submissions should be received at the FBI by the seventh day after the close of each month. Annual deadlines are also designated in order to collect/assess receipt of monthly submissions. There are times when special circumstances may cause an agency to request an extension. The FBI's UCR Program has the authority to grant these extensions.

8. Public Comments and Consultations

The Department published a notice for the Cargo Theft data collection in the Federal Register on Wednesday July 20, 2016; Volume 79, Number 139, Page 47178, allowing for a 60-day comment period. One letter to date has been received from the Travelers' Inland Marine Division.

Travelers Inland Marine provided the following recommendations:

- Beneficial for the federal government to mandate the use of Uniform Crime Reporting for Federal, State, and local officials enacted under the Patriot Act in order to adopt a standardized method of reporting, to minimize the burden of the collection of information and offer the ability to report electronically in order to ease the administrative burden to responders.
- Beneficial for the FBI to establish a public advisory committee as it examines the growing issue of cargo theft and to assist in the formation of a strategy to combat cargo theft across the nation.

Crime Statistics Management Unit personnel reached out to the Travelers Inland Marine Division (TIMD) and clarified that while the *USA PATRIOT Improvement and Reauthorization Act of 2005* mandated the FBI's UCR Program to collect cargo theft data, it was not a mandate for the state UCR participating LEAs. UCR Program staff also shared with TIMD the current modernization plan for encouraging federal law enforcement agencies to participate in the UCR Program. The UCR Program will take the recommendation for establishing a public advisory committee under advisement as a means for increasing participation should budgetary means be provided.

9. Provision of Payments or Gifts to Respondents

The FBI's UCR Program does not provide any payment or gift to respondents.

10. Assurance of Confidentiality

All FBI UCR Program information collections are held confidential in accordance with Title 42, United States Code, Section 3789(g). Even though this information collection does not contain personal identifier information that may reveal the identity of an individual it is obtained from

public agencies and are, therefore, in the public domain. The FBI UCR Program does not assure confidentiality.

11. Justification for Sensitive Questions

This information collection does not collect information of a sensitive nature.

12. Estimate of Respondent’s Burden

The estimated burden for the Cargo Theft data collection varies based upon the volume of cargo theft crimes. According to the Office of Management and Budget (OMB) guidelines, the UCR Program conducted an “hour burden” study with a sample of nine potential data contributors and concluded that the average time needed to complete the *Cargo Theft Incident Report* is five (5) minutes. To update the state UCR Summary Reporting System (SRS) record management systems (RMSs), it takes approximately forty-five (45) days. System update burdens are a one-time burden to the agencies to make information system adjustments. The FBI UCR Program has 11,217 potential SRS LEAs who could collect cargo theft data. However, 7,505 agencies have not updated their systems to capture this data. The burden hours for updating the SRS RMSs calculates to 900,600. The UCR Program has 3,152 SRS LEAs submitting cargo theft data on a monthly basis which calculates to 3,092 total burden hours.

Number of respondents	3,152
Number of non-respondents	560
Frequency of responses	Monthly
Total annual responses	37,109
Minutes per response to complete form	5 minutes
One time burden to modify information systems	45 days
Annual hour burden to complete form	3,092 hours
Annual hour burden to modify system over 3 year span	900,600 hours

Number of months submitted	SRS			Totals
	Number of Agencies	Number of Responses	5 min. Burden	
1 month	13	13	65	
2 months	8	16	80	
3 months	8	24	120	
4 months	5	20	100	
5 months	8	40	200	
6 months	16	96	480	
7 months	8	56	280	
8 months	18	144	720	
9 months	13	117	585	
10 months	20	200	1,000	
11 months	37	407	2,035	
12 months	2,998	35,976	179,880	
Non-responsive				560
Total Agencies	3,152			3,152
Annual Responses		37,109		37,109

Form Completion Hr Burden			185,545 minutes	3,092 hours
# of Agencies Within States Who Have Not Programmed CT				7,505
System Modification Hr Burden Over 3 Years				900,600 hours

13. Estimate of Cost Burden

There are no direct costs to law enforcement to participate in the FBI UCR Program other than their time to respond. The FBI's UCR Program disseminates the electronic version of the *Cargo Theft Incident Report* free of charge via the Microsoft Excel Workbook Tool.

Respondents may incur capital or start-up costs associated with this information collection, although it is difficult to obtain the costs to agency Records Management Systems (RMS) as the vendor costs vary from agency-to-agency. Many costs are built into the vendors Service Level Agreement contracts. Depending on the vendor contracts, changes may be included within the original contract with no other additional costs. An estimate has been projected that agencies pay an \$18,000 maintenance fee every year for system maintenance costs. However, these LEAs are required to maintain their systems for their own purposes regardless of whether they report crime data to the FBI UCR Program.

14. Cost to Federal Government

According to the cost module provided by FBI Criminal Justice Information Services (CJIS), Resource Management Section, Fee Programs Unit, the following are projections based upon prior collection activity, as well as activities anticipated over the next three years for both the NIBRS and SRS. The cost module does not separate the costs between the two methods of collecting UCR data.

Data Collection and Processing Costs

Administrative	\$	51,366.58
Application for Resources Support	\$	33,313.62
Assessments/Analysis – External Customers	\$	50,520.46
Budget Activities, Strategic Planning & Program Control	\$	245,155.22
Communication/Reporting	\$	132,441.55
Curriculum Design – External Customers	\$	98,745.93
Customer Service Group	\$	8,610.83
Customer Service Support	\$	52,773.95
Data Entry	\$	18,476.56
Development, Test, and Integration	\$	279,530.52
Editing	\$	285,589.82
Human Resource Management	\$	172,388.58
Liaison, Correspondence, Data Requests	\$	694,243.64
Life Cycle Records Management	\$	23,322.74

Manage Congressional Correspondence	\$	15,548.49
Manage Freedom of Information Act Requests	\$	15,548.49
Marketing	\$	23,214.69
Operational Assistance	\$	60,685.07
Operations Research and Analysis	\$	4,589.31
Perform Strategic Planning	\$	28,704.05
Perform Unit Budget Activities	\$	13,667.22
Policy, Development, and Program Planning	\$	290,486.20
Project and Program Management	\$	213,406.96
Provide Technical, Statistical, Mathematical Assistance/ Training	\$	3,511.71
Provide Training Instruction – External Customers	\$	223,899.58
Request for Information	\$	8,748.18
Research and Analysis	\$	224,431.85
SENTINEL Management	\$	23,322.74
Software Maintenance	\$	37,137.98
Source Selection Support	\$	6,833.61
Special Interest Research	\$	1,529.77
Special Studies Using UCR Data	\$	279,492.14
Training/Leadership Development	\$	4,680.04
UCR Automation/Development	\$	222,424.57
UCR Data Analysis	\$	697,374.36
UCR Data Collection	\$	235,854.05
UCR Publications/Reports	\$	424,671.11
Writing Services/Support	\$	206,237.60
Total Cost to Federal Government	\$	5,412,479.77

15. Reason for Change in Burden

There is no increase in burden on the individual respondents; however, the overall annual burden hours have decreased. This adjustment from 20,866 to 3,092 is a decrease of 17,774. This decrease in burden is due to the number of respondent agencies decreasing. There are 7,505 respondent agencies who have not programmed their RMSs to capture Cargo Theft data. The burden hours for updating the RMSs calculates to 900,600.

16. Anticipated Publication Plan and Schedule

Published data are derived from data submissions furnished to the FBI UCR Program from local, county, state, federal, and tribal LEAs throughout the country. Data will be published on an annual basis.

Request missing data from agencies	February-March, following year
Deadline to submit data	Mid-April
Data Processing/Analysis	July (current year)–May (following year)
Publication data	September, following year

17. Display of Expiration Date

All information collected under this clearance will display the OMB Clearance Number and Expiration Date.

18. Exception to the Certification Statement

The FBI's CJIS Division does not request an exception to the certification of this information collection.