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).***

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] In exercising its authority, TSA can assess threats to transportation; develop policies, strategies, and plans for dealing with threats to transportation security; and inspect, maintain, and test security facilities, equipment, and systems.[3] For example, 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." Executive Order (E.O.) 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 of this information exists, nor is there a consistent approach to evaluating the extent to which security and emergency response plans and protocols are in place across the surface transportation domain.

TSA has exercised its authority to assess threats to transportation through the Baseline Assessment for Security Enhancement (BASE) program, which provides a 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 procedures throughout the nation and, because of the program's success, expanded it into the highway transportation domain.[4] 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

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[1] Pub. L. 107-71 (115 Stat. 597; Nov. 19, 2001).
[2] 49 U.S.C. § 114(d).
[3] 49 U.S.C. § 114(f).
[4] Previously, for highway transportation, TSA exercised its assessment authority 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.

Specific Plan[5] that include "an identification of existing security guidelines and requirements and any security gaps…." E.O. 13416, Sec. 3(c)(i).

This information collection request (ICR) also covers collections of information required by the "Gerardo Hernandez Airport Security Act of 2015" (hereinafter referred to as the "Hernandez Act").[6] The Hernandez Act requires TSA to gather specific information from passenger transportation agencies and providers with high-risk facilities, regarding incident response plans for active shooters, acts of terrorism, or other security-related incidents that target passengers. TSA is also required to disseminate best practices for security incident planning, management, and training and to establish a mechanism through which to share such practices with passenger transportation agencies nationwide.

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 Security Inspectors (TSIs) are trained to conduct BASE reviews during site visits with security and operating officials of affected 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 the 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 evaluated 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 addressing 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, and activities against security requirements and recommended security practices issued 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

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[5] Transportation System Sector-Specific Plan is a planning tool for Transportation Sector Agencies, critical infrastructure owners and operators, and partners at the regional, State, local, tribal, and territorial levels that guides and integrates efforts to secure and strengthen the resilience of critical infrastructure, identifies the Transportation Sector's security and resilience priorities, and describes the approach to managing critical infrastructure risk.
[6] Pub. L. 114-50 (129 Stat. 490; Sept. 24, 2015).

weakness or vulnerability, and development of remedial recommendations and courses of action.

  3. To identify procedures 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/passenger rail, the BASE is a supporting element for funding distributed under the Transit Security Grant Program.[7]

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, TSA's Surface Transportation Security Inspectors receive 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 actively monitors information collected by our Federal partners but has found no other collection that can meet the needs of the BASE program. 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, during the development of the questions used in the BASE programs, TSA 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 security in all modes of transportation, TSA has limited the Highway BASE to non-hazardous materials 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). Similarly, TSA's BASE is distinct from Federal Transit Administration (FTA) assessments. The FTA focuses on mandatory safety standards while TSA focuses on security assessments.

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[7] The TSGP directly supports transportation infrastructure security activities, as appropriated by the Department of Homeland Security Appropriations Act, 2019 (Pub. L. No. 116-6; 133 Stat. 13; Feb. 15, 2019), and authorized by section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Pub. L. No 110-53; 121 Stat. 266; Aug. 3, 2007), codified at 6 U.S.C. § 1135. The program provides funding to owners and operators of transit systems (which include intra-city bus, commuter bus, ferries, and all forms of passenger rail) to protect and increase the resilience of critical surface transportation infrastructure and the traveling public from acts of terrorism.

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.*

   No single database of this information exists; nor is there a consistent approach to evaluating the extent to which security and emergency response plans and protocols are in place across the surface transportation domain. If this collection is not conducted, TSA will be unable to assess current security practices in the public transportation/passenger rail 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.

   In general, the BASE program provides TSA with up-to-date information on current security practices within the public transportation/passenger rail and highway/motor carrier transportation sectors. 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 the affected 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 invited public comment on this information collection requirement, a 60-day notice was published in the *Federal Register* on April 22, 2019 (84 FR 16685) and a 30-day notice

was published on October 2, 2019 (84 FR 52525). Consistent with the requirements of E.O. 13771, Reducing Regulation and Controlling Regulatory Costs, and E.O. 13777, Enforcing the Regulatory Reform Agenda, the notices included a specific request for comments on the extent to which this request for information could be modified to reduce the burden on respondents. TSA received no comments in response to the notices.

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 are designated Sensitive Security Information (SSI), as determined by the TSA SSI Program Office, and are handled in accordance with 49 CFR 1520. In addition, this collection is covered by the Privacy Impact Assessment (PIA) for the DHS General Contact Lists. *See,* DHS/ALL/PIA-006, June 15, 2007.

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 and cost burden of the collection of information.***

TSA developed the BASE program for certain surface modes of transportation to evaluate the status of security and emergency response procedures throughout the nation. The BASE collection covers Mass Transit and Passenger Rail (MT/PR) and Highway/Motor Carrier transportation systems. The standard BASE collections are conducted by TSA's Surface TSIs during site visits with security and operating officials of transportation systems. TSA provides estimates of the hour burden costs due to these information collection activities.

TSA conducts approximately 75 assessments for MT/PR respondents and 90 assessments for Highway/Motor Carrier respondents annually. A MT/PR assessment takes approximately 11 hours and a Highway/Motor Carrier assessment takes approximately 5 hours. This results in an annual hour burden of 825 for MT/PR respondents and 450 for Highway/Motor Carrier respondents, for an annual total of 1,275 hours. To estimate costs, TSA uses a fully-loaded[8] wage rate of $79.68 for MT/PR respondents[9] and $77.68 for

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[8] A fully-loaded wage rate accounts for non-salary costs of employee compensation, such as health and retirement benefits.

[9] The unloaded wage rate for MT/PR General and Operations Managers is $52.68. BLS. May 2017 National Industry-Specific Occupational Employment and Wage Estimates. NAICS 485000 - Transit and Ground Passenger Transportation. OCC 11-1021 General and Operations Managers. Last modified March 30, 2018 (accessed March 29, 2019), https://www.bls.gov/oes/2017/May/naics3_485000.htm. To estimate the loaded wage, TSA calculates a compensation factor to inflate the wage rate accounting for benefits. The compensation factor is 1.51245. BLS. Employer Costs for Employee Compensation - June 2018. Table 5. Employer costs per hour worked for employee

Highway/Motor Carrier respondents.[10] TSA estimates an annual hour burden cost of $100,692 for this collection. Table 1 summarizes these calculations.

Table 1. Public Hour Burden and Costs

Activity	Assessments per Year	Hour Burden per Assessment	Annual Hour Burden	Respondent Wage	Annual Hour Burden Cost
	A	B	C = A x B	D	E = C x D
MT/PR Assessments	75	11	825	$79.68	$65,736
Highway/Motor Carrier Assessments	90	5	450	$77.68	$34,956
Total	**165**		**1,275**		**$100,692**

Note: Totals may not add due to rounding

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

There are no additional costs with this collection.

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 standard BASE collections are conducted by two TSIs during site visits. The total cost incurred by the Federal Government is the sum of TSIs' preparation, site visits assessment activity, data entry, and follow-up paperwork costs.

For each MT/PR assessment, 2 TSIs spend approximately 120 hours per site visit: 20 hours for preparation, 80 hours of assessment activity, and 20 hours for data entry and follow-up. For each Highway/Motor Carrier assessment, 2 TSIs spend approximately 80 hours per site visit: 20 hours for preparation, 40 hours of assessment activity, 20 hours for data entry and follow-up. TSA estimates an annual hour burden of 9,000 for MT/PR assessments and 7,200 for Highway/Motor Carrier assessments, for a total annual hour burden of 16,200

compensation and costs as a percent of total compensation: private industry workers. Production, transportation and material moving occupations. Last modified September 18, 2018 (accessed March 29, 2019), https://www.bls.gov/news.release/archives/ecec_09182018.htm. The fully-loaded wage rate of $79.68 is the product of the unloaded wage rate and the compensation factor.

[10] The unloaded wage rate for Highway General and Operations Managers is $51.36. BLS. May 2017 National Industry-Specific Occupational Employment and Wage Estimates. NAICS 484000 - Truck Transportation. OCC 11-1021 General and Operations Managers. Last modified March 30, 2018 (accessed March 29, 2019), https://www.bls.gov/oes/2017/May/naics3_484000.htm. To estimate the loaded wage, TSA calculates a compensation factor to inflate the wage rate accounting for benefits. The compensation factor is 1.51245. BLS. Employer Costs for Employee Compensation - June 2018. Table 5. Employer costs per hour worked for employee compensation and costs as a percent of total compensation: private industry workers. Production, transportation and material moving occupations. Last modified September 18, 2018 (accessed March 29, 2019), https://www.bls.gov/news.release/archives/ecec_09182018.htm. The fully-loaded wage rate of $77.68 is the product of the unloaded wage rate and the compensation factor.

hours. TSA TSIs consist of H- and I-Band employees, with an average wage of $53.61.[11] TSA estimates an annual hour burden cost to TSA of $868,482. Table 2 summarizes this estimate.

Table 2. TSA Hour Burden and Costs

Activity	Assessments per Year A	Hour Burden per Assessment B	Annual Hour Burden C = A x B	Annual Hour Burden Cost D = C x $53.61
MT/PR Assessments	75	120	9,000	$482,490
Highway/Motor Carrier Assessments	90	80	7,200	$385,992
Total	**165**		**16,200**	**$868,482**

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

There are no program changes from the previously reported information. However, the information collection burden has increased due to the use of actual data to determine the numbers.

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.

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[11] An H Band employee earns an average of $40.44 hourly and an I Band earns $66.79.