

Department of Transportation

SUPPORTING STATEMENT

2133-0547

Cruise Vessel Security and Safety Training Provider Certification

INTRODUCTION

This is to request the Office of Management and Budget (OMB) issue a three-year approved clearance for the information collection entitled, "Cruise Vessel Security and Safety Training Provider Certification", OMB #2133-0547, which is currently due to expire on February 28, 2021. Since the last OMB approval, the number of applications received decreased due to fewer applicants filing for certification.

Part A. Justification:

1. Circumstances that make collection of information necessary.

Section 3508 of the Cruise Vessel Security and Safety Act of 2010, Public Law 111-207 (July 27, 2010, as codified at 46 U.S.C. sections 3507-3508 (CVSSA) provides the Maritime Administrator with the discretionary authority to certify cruise vessel training providers that comply with "Model Course" training standards jointly developed by the USCG, FBI and the Maritime Administration (MARAD). The certification process necessarily requires applicants to provide supporting information to evidence their compliance with the CVSSA Model Course training standards. The associated information collection supports DOT Strategic Goals relating to Safety, Mobility, and National Security.

2. How, by whom, and for what purpose is the information used.

Information sought under this Information Collection (IC) request will be used as follows:

Who: The Office of Environment and Compliance (MAR-400) has implemented a voluntary training-provider certification program.

Purpose: The purpose of the program is to help assure the general public that passenger vessel security and safety personnel have received proper training consistent with the Model Course standards jointly developed by USCG, MARAD, and the FBI.

How: Training providers seeking to be certified by MARAD are required to submit training plans and supporting information to MAR-400 for review. If the training provider's plans meet the model course criteria, the Maritime Administrator or his designee may offer certification, subject to the training provider entering into an agreement which, in addition to other terms, will subject the organization to periodic program audits.

3. Extent of automated information collection.

Data collection is primarily through email submissions although fax and regular mail is anticipated to be another means of obtaining certification requests. Because the information to be submitted is not limited to a particular format, applicants are free to submit information in

any form or by any method they choose. The agency will provide a form of agreement that each applicant will enter into prior to certification. This form of agreement will be available for download on the agency's website.

4. Efforts to identify duplication.

Because information submitted is unique to a particular training provider's methods of training cruise vessel personnel, there is no issue of duplication which the Federal Government can control. MARAD is simply asking for a clear and accurate account of how the training provider intends to instruct personnel consistent with the CVSSA Model Course. If the applicant can show that its process meet the standards, the agency can issue a certificate.

5. Efforts to minimize the burden on small businesses.

It is difficult to project with any accuracy how many or whether any small training providers will apply. However, it is important to note that this policy will impact cruise lines as well as individual training businesses. With respect to the cruise lines, because the statutory training requirements are applicable to passenger vessels that carry at least 250 passengers and have onboard sleeping facilities for each passenger, it is fair to state that those businesses are not small but very sophisticated enterprises. We believe that cruise lines will seek training certification of their own where they plan to perform CVSSA training in-house. In other cases, we may have individual businesses that specialize in maritime training, many of which are already existing large and sophisticated business, but there may be a possibility for new smaller businesses to grow from this niche market although it is hard to predict. In either case, cruise lines or training companies of any size, all applicants must show the same information in order to evidence their ability to perform the training. The information that MARAD requests from participants is so inherent to their business that its production should require minimal effort. For example, the agency will need to have a copy of the training curriculum, the credentials of the trainers, and specific information relating to how the training will be provided. We believe this and all required training provider information is basic information which cannot be waived if the government is to issue its certification.

6. Impact of less frequent collection of information.

MARAD has considered for how long certification should remain valid as well as how often training provider audits should take place based on accepted industry standards. Any fewer audits or any longer period of time for certification to remain valid could adversely impact the quality of the certification and ultimately its reliability and value to the general public and the USCG. Accordingly, the agency has decided that a 5 year certification with at least 3 routine audits is the most prudent schedule.

7. Special circumstances.

MARAD provides the following responses as the only ones that apply:

- Applicants will be required to provide information more often than quarterly only

when they decide to change information on which MARAD relied in issuing its certification. If this kind of information is changed, the certified training provider has a duty to inform MARAD of the change. This is necessary to ensure that the change does not have an adverse effect on the quality of the security and safety training provided by the applicant.

- Applicants may be required to respond to MARAD in fewer than 30 days if a nonconformity is discovered by an audit or other credible means that places the security and safety training provider certification in question. This is necessary to ensure the quality of MARAD certifications and their reliability to the public and USCG.
- MARAD will require training providers to maintain records of training for the period of the certification (5 years). This is necessary to support the audit process. If information were allowed to be disposed of prior to the full 5-year period, audits would be limited and the agency would not be able to understand the training providers' full performance during the certification period.

8. Compliance with 5 CFR 1320.8:

The Maritime Administration published a 60-day notice for public comments in the Federal Register on August 27, 2020 (FR53061, Vol. 85, No. 167) indicating comments should be submitted on or before October 26, 2020. No public comments were received. In addition, a 30-day notice for comments was published in the Federal Register on November 16, 2020 (FR 73126, Vol. 85, No. 221) indicating comments should be submitted on or before December 16, 2020.

9. Payments or gifts to respondents.

Not applicable. No decision to provide any payment or gift to respondents was considered.

10. Assurance of confidentiality: _

MARAD applies DOT processes with respect to the protection of confidential information. To that end, and with respect to this program, the agency will rely on the Freedom of Information Act (FOIA) and DOT FOIA implementing regulations at 49 CFR Part 7.

11. Justification for collection of sensitive information.

The agency does not request information of a sensitive nature with respect to this certification.

12. Estimate of burden hours for information requested.

The agency anticipates that it could receive 10 or fewer submissions for certification. Certification is anticipated to span a period of 5 years before expiration and renewal. However, the agency does anticipate the collection of information annually from the same estimated

number of training providers seeking to maintain their certification by complying with agency audits. We project the annual burden to be equal to 40 hours per program participant. The annual burden per participant includes completing and filing the application and recordkeeping (8 hours of the 40 hours will be for semi-annual recordkeeping. Below is an estimate of the number of annual responses and burden hours for the collection:

Number of Respondents		Responses Per Respondent	=	Total Responses Annually		Hours Per Response	=	Total Hours Annually
10	x	1	=	10	x	40	=	400

Total Annual Burden Hr. Costs:

Annual Burden Hr. Costs: *One Manager @ \$58.75 per hr. x 1.4 x 400 Hrs. = \$32,900.00

Number of Respondents		Responses Per Respondent	x	Mean Hourly Rate	x	Hours Per Response	x	Benefits	=	Total Cost Annually
10	x	1	x	\$58.75	x	40	x	1.4	=	\$32,900.00

*Hourly mean wage taken from the BLS Occupation table under General and Operations Managers under Support Activities for Water Transportation;
<https://www.bls.gov/oes/current/oes119199.htm>.

13. Estimate of total annual costs to respondents.

(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 operational and maintenance or purchase of service costs associated with this information collection.

14. Estimate of cost to the Federal Government.

Processing of CVSSA Training Provider Certification Applications

Number of Employees Per Application	Hourly Wage*		Project Time Per Response		Benefit	=	Cost Per Response
(1) SES	\$81.84	x	0.5	x	1.4	=	\$ 57.29
(1) GS-15	\$77.49	x	1	x	1.4	=	\$ 108.49
(1) GS-14	\$65.88	x	40	x	1.4	=	\$ 3,689.28
Total							\$ 3,855.06
Times 10 responses						=	\$38,550.60

Oversight of the CVSSA Training Provider Certification Program

<u>Number of Employees Per Year</u>	<u>Hourly Wage*</u>		<u>Oversight Hours Per Year</u>		<u>Benefit</u>		<u>Cost Per Year</u>
(1) SES	\$81.84	x	26	x	1.4	=	\$ 2,978.98
(1) GS-15	\$77.49	x	104	x	1.4	=	\$11,282.54
(1) GS-14	\$65.88	x	1300	x	1.4	=	\$119,901.60
Total							\$134,163.12

CVSSA Training Provider Certification Program Travel: \$8,000.00

Total CVSSA Training Provider Certification Program Oversight Annual Cost: \$142,163.12

Total Overall total annual cost for the CVSSA Training Provider Certification Program is: \$142,163.12 (\$134,163.12 + \$8,000 = \$142,163.12).

Total estimated annual cost to the Federal Government is: \$38,550.60 + \$142,163.12 = \$180,713.72

*The hourly wage was taken from the 2020 GS and Executive Pay Tables at: <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>

15. Explanation of program changes or adjustments reported in questions 12 or 13.

Since the last OMB approval, the number of applications received decreased due to fewer applicants filing for certification. For this period, MARAD is projecting that 10 or less responses per year will be received. Other program cost projection changes are based on experience operating the CVSSA Training Provider Certification Program since its inception in 2014.

16. Publication of results of data collection.

There are no plans to publish the results of the information collection for statistical purposes.

17. Approval for not displaying the expiration date of OMB approval.

Display would not be inappropriate.

18. Explain each exception to the certification statement.

There are no exceptions to the certificate statement.