

# **SUPPORTING STATEMENT FOR PAPERWORK REDUCTION ACT SUBMISSION**

## **Advance Notification Form: Tourist and Other Non- Governmental Activities in the Antarctic Treaty Area OMB Number 1405-0181 DS-4131**

### **A. JUSTIFICATION**

1. *Why is this collection necessary and what are the legal statutes that allow this?*

Collection of information on the Advance Notification Form allows the U.S. Government to meet its obligation, under Article VII(5)(a) of the Antarctic Treaty, to inform other Contracting Parties of plans by U.S. tourist and other non-governmental operators to visit the Antarctic Treaty area.

“5. Each Contracting Party shall, at the time when the present Treaty enters into force for it, inform the other Contracting Parties, and thereafter shall give them notice in advance of:

all expeditions to and within Antarctica, on the part of its ships or nationals, and all expeditions to Antarctica organized in or proceeding from its territory.”

2. *What business purpose is the information gathered going to be used for?*

The Department of State uses the information requested on the DS-4131, Advance Notification Form to determine whether an intended tourist or other non-governmental activity is organized in or proceeding from U.S. territory and, if so, to prepare a pre-season notification to other Parties to the Treaty containing specifics of each intended expedition. Upon determination that an activity falls under U.S. jurisdiction, U.S. expeditions must comply with Environmental Protection Agency (EPA) regulations that implement other obligations under the Treaty’s Protocol on Environmental Protection requiring the preparation of an Environmental Impact Assessment.

3. *Is this collection able to be completed electronically (e.g. through a website or application)?*

The DS-4131, Advance Notification Form is available by download from the Department’s website and can be submitted via either e-mail or regular mail.

4. *Does this collection duplicate any other collection of information?*

The DS-4131, Advance Notification Form, will be submitted by non-governmental operators to the Senior Advisor for Antarctica, Office of Ocean and Polar Affairs, Bureau of Oceans, Environment and Science, U.S. Department of State. Information collected on the Advance Notification Form does not duplicate information otherwise collected by the U.S. Government. Information on the form supplements information separately provided by U.S. operators to the Environmental Protection Agency as part of a required

Environmental Impact Assessment process and to the National Science Foundation for operators who need to apply for waste permits. These actions occur subsequent to the submission to the Department of State.

5. *Describe any impacts on small business.*

Since most U.S.-based Antarctic tour operators are familiar with the Advance Notification Process and accustomed to providing the requested information, no significant impact will be placed on small businesses outside of normal business practices.

6. *What are consequences if this collection is not done?*

Failure to collect information requested on the Advance Notification Form may prevent the United States from being able to comply with a Treaty obligation.

7. *Are there any special collection circumstances?*

There are no special circumstances associated with this collection.

8. *Document publication (or intent to publish) a request for public comments in the Federal Register*

The Department published on December 14, 2020 a notice in the Federal Register soliciting public comments for a period of 60 days. The Department received no comments during that period. The Department will publish a second notice in the Federal Register soliciting public comments for a period of 30 days.

9. *Are payments or gifts given to the respondents?*

There are no payments or gift to respondents.

10. *Describe assurances of privacy/confidentiality*

The Department of State provides no assurance of confidentiality regarding the information collected.

11. *Are any questions of a sensitive nature asked?*

The Advance Notification Form does not collect any information of a sensitive nature.

12. *Describe the hour time burden and the hour cost burden on the respondent needed to complete this collection*

We expect approximately 25 respondents per year to provide advance notification of a tourist or other non-governmental expedition to Antarctica organized in, or proceeding from, the United States. Notification would be made once per year, typically three to four months before travel. The form may address a number of intended activities ranging from an excursion by one private person to several voyages by each of several vessels, or aircraft, operated by a large commercial enterprise. We estimate that a single private operator may require approximately three hours to complete the form while a commercial operator, with complicated vessel sub-chartering issues, may require more than 50 hours to complete the form. On average, we believe that collecting the information requested should take respondents about 9 hours. Using 25 respondents as a baseline, we project

the total burden to be about 225 hours. Using the weighted wage multiplier of 2 for a FS-02, Step 1, Washington DC-based salaried employee (General and Operations Manager), which have an annual salary of \$115,630 (<https://www.state.gov/wp-content/uploads/2019/12/2020-FS-Pay-Schedules-by-Locality.pdf> wh) that is the equivalent of an hourly wage rate of \$55.40, the hour burden cost would be \$24,930 ( $\$55.40 \times 2 \times 225$ ).

13. *Describe the monetary burden to respondents (out of pocket costs) needed to complete this collection.*

The vast majority of the respondents are established, commercial Antarctic tour operators, almost all of whom are members of the International Association of Antarctic Tour Operators (IAATO). As such, they are very familiar with the advance notification process (and IAATO's own reporting requirements that are similar to the information collected). Thus, the compilation and reporting of this information is already in their business plans and there is no additional cost to business.

14. *Describe the cost incurred by the Federal Government to complete this collection.*

The cost to the federal government for this collection is approximately \$2,770 (25 respondents x 2 hours processing/response x \$55.40/hour (for an FS-02, Step 1, Washington DC-based employee per <https://www.state.gov/wp-content/uploads/2019/12/2020-FS-Pay-Schedules-by-Locality.pdf> wh) x 2 (multiplier for employment benefits)).

15. *Explain any changes/adjustments to this collection since the previous submission*

This is a renewal of an ongoing collection, with a reduction in burden from 262 hours to 225 hours. Changes include the elimination of fields that did not pertain to Antarctic Treaty reporting requirements and/or were information that would be provided in greater depth in subsequent submissions to the EPA and/or NSF. An additional change is to eliminate the need to mail an original signed copy of the form. All changes are intended to streamline and ease the burden on entities submitting the form.

16. *Specify if the data gathered by this collection will be published.*

The Department of State will disseminate the results of this collection of information to other USG agencies involved in implementing the Treaty and the Environmental Protocol, and to other Parties to the Treaty. Certain expedition information may be posted on the National Science Foundation's and the Antarctic Treaty Secretariat's Electronic Information Exchange System web sites in order to facilitate notification of and access by all Parties to the Treaty.

17. *If applicable, explain the reason(s) for seeking approval to not display the OMB expiration date.*

The Department will continue to display the OMB Control Number expiration date on the DS-4131.

18. *Explain any exceptions to the OMB certification statement below.*

The Department is not seeking exceptions to the certification statement.

## **B. COLLECTION OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.