

April 13, 2022

## **Supporting Statement for Paperwork Reduction Act Submissions**

**OMB Control Number: 1660 - NW141**

**Title: National Business Emergency Operation Center (NBEOC)**

**Membership Agreement**

**Form Number(s): FEMA Form FF-145-FY-21-101 National Business  
Emergency Operation Center (NBEOC) Membership Agreement Form**

### **General Instructions**

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(1)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When Item 17 or the OMB Form 83-I is checked “Yes”, Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

### **Specific Instructions**

#### **A. Justification**

**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. Provide a detailed description of the nature and source of the information to be collected.**

The Federal Emergency Management Agency (FEMA) is requesting the information written on this form to establish the identity and obtain consent allowing disclosure of the information provided on the National Business Emergency Operations Center Membership Agreement form, under the form’s “NBEOC contact information” section, to all NBEOC members and participants of NBEOC meetings or events. Written consent is requested pursuant to the Privacy Act of 1974, 5 U.S.C. § 552a(b). The program for which this form may be used is authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended, 42 U.S.C. §§ 5121 -5207; The Homeland Security Act of 2002, 6 U.S.C. §§ 311-321j; 44 C.F.R. § 206.2(a)(27); the Personal

Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. 104-193); and Exec. Order No. 13411, Improving Assistance for Disaster Victims.

Information collected is as follows: Entity Name, Entity Representative, Duty Title, Work Phone, Work Email, Your full name, Current Address, Place of Birth, Date of Birth, and Signature.

**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. Provide a detailed description of: how the information will be shared, if applicable, and for what programmatic purpose.**

FEMA's NBEOC collects this data for the primary purpose of maintaining a private sector stakeholder roster and mailing list for information dissemination, outreach, and coordination. FEMA leverages this information to engage stakeholders to coordinate disaster response operations, garner donations, and gain situational awareness around private sector actions that will help inform FEMA Leadership and assist evidence-based decision making.

**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.**

The delivery and retrieval of the NBEOC Membership instrument is managed through <https://portal.max.gov> The NBEOC manages a service desk within Max which serves as the repository for NBEOC Membership instrument.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

The mission requirements of the NBEOC are relatively new to FEMA. While private sector contact information is available, there is a high probability the NBEOC does not have consent to share Entity contact information as needed within the NBEOC stakeholder enterprise to improve continuity of operations and Emergency Management

actions. Additionally, this form and the practice of sharing NBEOC member information with requesting NBEOC members, has been in use for approximately the past three years. Our team recently self-identified the PRA omission with the Office of Management and Budget (OMB) and are now working to take the appropriate corrective actions.

**5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize.**

No, this is a voluntary agreement that does not impact small business or small entities. However, if small businesses or other small entities request assistance, the NBEOC will provide additional guidance to complete the information collection process.

**6. Describe the consequence to Federal/FEMA program or policy activities if the collection of information is not conducted, or is conducted less frequently as well as any technical or legal obstacles to reducing burden.**

The NBEOC will no longer be able to provide critical stakeholder information across private business partners to aid in the response and recovery efforts during a Stafford Act declared incident. Additionally, the NBEOC will no longer be able to solicit private stakeholders for assistance during non-Stafford Act declared emergencies.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

**(a) Requiring respondents to report information to the agency more often than quarterly.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

**(b) Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

**(c) Requiring respondents to submit more than an original and two copies of any document.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

**(d) Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

**(e) In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

**(f) Requiring the use of a statistical data classification that has not been reviewed and approved by OMB.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

**(g) That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

**(h) Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

This information collection is conducted in a manner consistent with the guidelines in 5 CFR 1320.5(d)(2).

**8. Federal Register Notice:**

**a. Provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice 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.**

A 60-day Federal Register Notice inviting public comments was published on November 10, 2021, at 86 FR 62558. One comment was received and it was concluded that it was not germane to the collection.

A 30-day Federal Register Notice inviting public comments was published on April 13, 2022, at 87 FR 21896. The 30-Day notice initiated a public comment period that ends on May 13, 2022.

**b. Describe efforts to consult with 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.**

The NBEOC solicited and received membership agreements from more than 375 public/private Entities during the 2021 calendar year. Throughout the application process, none of the Entities expressed any concerns, comments, and/or issues with providing the voluntary information requested on the NBEOC membership agreement.

**c. Describe consultations with representatives of those from whom information is to be obtained or those who must compile records. Consultation should occur at least once every three years, even if the collection of information activities is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.**

The NBEOC is prepared to consult with any Entity representative at any time regarding questions related to the information being collected. However, the information is typically only collected once for membership, unless the Entity representative changes and the NBEOC membership agreement requires an update, at which time the NBEOC will engage provide consultation.

**9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.**

FEMA does not provide payments or gifts to respondents in exchange for a benefit sought.

**10. Describe any assurance of confidentiality provided to respondents. Present the basis for the assurance in statute, regulation, or agency policy.**

A Privacy Threshold Analysis (PTA) was approved by DHS on February 2, 2022. This collection is covered by two Privacy Impact Assessments (PIA's), DHS/PIA-006 General Contact Lists and DHS/PIA-015 DHS Web Portals, and two System of Records Notices (SORN's), DHS/ALL-002 DHS Mailing and Other Lists Systems, 73 Fed. Reg. 71659 (November 25, 2008), and DHS/ALL-004 General Information Technology Access Account Records Systems (GITAARS).

FEMA may externally share the information respondents provide as generally permitted under 5 U.S.C. § 552a(b) of the Privacy Act of 1974, the "routine uses" published in DHS/ALL-002 DHS Mailing and Other Lists System and DHS/ALL 004 General Information Technology Access Account Records System (GITAARS), and as authorized by respondents' written consent. The information provided to FEMA regarding respondents may be subject to release under the Freedom of Information Act (5 U.S.C. § 552). A complete list of the routine uses can be found in DHS/ALL-002 DHS Mailing and Other Lists System and DHS/ALL 004 General Information Technology Access Account Records System (GITAARS). The Department's full list of systems of records notices can be found on the Department's website at <https://www.dhs.gov/system-records-notices-sorns>.

There are no assurances of confidentiality provided to the respondents for this information collection.

**11. Provide additional justification for any question of a sensitive nature (such as sexual behavior and attitudes, religious beliefs and other matters that are commonly considered private). This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

There are no questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

**a. Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated for each collection instrument (separately list each instrument and describe information as requested).**

**Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desired. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

The number of requested respondents per Entity is one and frequency of response is based on respondent’s tenure with Entity providing response. Updating the Entity respondent information would require an updated instrument. The annual hour burden is 0.50 hours per respondent, per response, and was calculated based on simplicity and overall number of questions being addressed on the instrument (10 fillable fields), one of which pre-populates, and two of which are date dropdowns. An estimated 232 Entities will provide one response per year, with an average burden per response of 0.50 hours. 232 responses x 0.50 average burden hours = 116 total annual burden hours.

**b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

This request only covers one instrument.

**c. Provide an estimate of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. NOTE: The wage-rate category for each respondent must be multiplied by 1.45 and this total should be entered in the cell for “Avg. Hourly Wage Rate”. The cost to the respondents of contracting out or paying outside parties for information collection activities should not be included here. Instead this cost should be included in Item 13.**

Estimated Annualized Burden Hours and Costs								
Type of Respondent	Form Name / Form No.	No. of Respondents	No. of Responses per Respondent	Total No. of Responses	Avg. Burden per Response (in hours)	Total Annual Burden (in hours)	Avg. Hourly Wage Rate	Total Annual Respondent Cost
Business or other For-Profit	NBEOC Membership Form FF-145-FY-21-101	232	1	232	0.5	116	\$58.77	\$6,817
<b>Total</b>		<b>232</b>		<b>232</b>		<b>116</b>		<b>\$6,817</b>

**Instruction for Wage-rate category multiplier: Take each non-loaded “Avg. Hourly Wage Rate” from the BLS website table and multiply that number by 1.44<sup>1</sup>. For example, a non-loaded BLS table wage rate of \$42.51 would be multiplied by 1.45, and the entry for the “Avg. Hourly Wage Rate” would be \$61.64.**

According to the U.S. Department of Labor, Bureau of Labor Statistics<sup>2</sup>, the May 2020 Occupational Employment and Wage Estimates wage rate for Emergency Management Directors (SOC: 11-9161) is \$58.77 per hour. Including the wage rate multiplier of 1.45, the fully-loaded wage rate is \$58.77 per hour. Therefore, the estimated burden hour cost to respondents Emergency Management Director is estimated to be \$6,817 annually (\$58.77 x 116 hours).

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. (Do not include the cost of any hour burden shown in Items 12 and 14.)**

The information being collected by this instrument is not foreign to the entity in which it is being voluntarily requested. The entity should not have to bear the cost of any additional burdens to provide the information being requested. Additionally, the storage of the signed agreement can be maintained in the existing corporate and/or business email, at the discretion of the entity. There are no records management requirements connected to the agreement enforced by FEMA on the Entity. No special hardware/software and/or other technology is required for completion of the NBOEC Membership Agreement.

**The cost estimates should be split into two components:**

**a. Operation and Maintenance and purchase of services component. These estimates should take into account cost associated with generating, maintaining, and disclosing or providing information. Include descriptions of methods used to estimate major cost factors including system and technology**

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<sup>1</sup> Bureau of Labor Statistics, Employer Costs for Employee Compensation, Table 1. “Employer costs per hour worked for employee compensation and costs as a percent of total compensation: Civilian workers, by major occupational and industry group, June 2021.” Available at [https://www.bls.gov/news.release/archives/ecec\\_09162021.pdf](https://www.bls.gov/news.release/archives/ecec_09162021.pdf). Accessed October 25, 2021. The wage multiplier is calculated by dividing total compensation for all workers of \$38.91 by wages and salaries for all workers of \$26.85 per hour yielding a benefits multiplier of approximately 1.45.

<sup>2</sup> Bureau of Labor Statistics, Occupational Employment and Wage Statistics. Occupational Employment and Wages, May 2020. 11-9161 Emergency Management Directors. <https://www.bls.gov/oes/2020/may/oes119161.htm>. Accessed October 22, 2021.



acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred.

**b. Capital and Start-up-Cost should include, among other items, preparations for collecting information such as purchasing computers and software, monitoring sampling, drilling and testing equipment, and record storage facilities.**

There are no record keeping, capital, start-up or maintenance costs associated with this information collection.

<b>Annual Cost Burden to Respondents or Record Keepers</b>				
<b>Data Collection Activity/Instruments</b>	<b>*Annual Capital State-Up Cost (investments in overhead, equipment, and other one-time expenditures)</b>	<b>*Annual Operation and Maintenance Cost (such as record keeping, technical/professional services, etc.)</b>	<b>Annual Non-Labor Cost (expenditures on training, travel, and other resources)</b>	<b>Total Annual Cost to Respondents</b>
NBEOC Membership Form	\$0	\$0	\$0	\$0
<b>Total</b>	\$0	\$0	\$0	\$0

**14. Provide estimates of annualized cost to the federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing and support staff), and any other expense that would have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.**

Annual Cost to the Federal Government	
Item	Cost (\$)
Contracting Costs: N/A	\$0
Staff Salaries: 1 GS 12 Step 5 employee spending approximately 5 percent of time annually sending, receiving, and storing NBEOC membership agreements. (\$98,827 x .05 time x 1.45 loaded wage rate = \$7,165	\$7,165
Facilities [cost for renting, overhead, etc. for data collection activity]: N/A	\$0
Computer Hardware and Software [cost of equipment annual lifecycle]: N/A	\$0
Equipment Maintenance [cost of annual maintenance/service agreements for equipment]: N/A	\$0
Travel (not to exceed): N/A	\$0
<b>Total</b>	\$7,165
<sup>1</sup> Office of Personnel Management 2021 Pay and Leave Tables for the Washington-Baltimore-Arlington, DC-MD-VA-WV-PA locality. Available online at <a href="https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/21Tables/html/DCB.aspx">https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/21Tables/html/DCB.aspx</a> . Accessed October 25, 2021.	
<sup>2</sup> Wage rate includes a 1.45 multiplier to reflect the fully-loaded wage rate.	

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I in a narrative form. Present the itemized changes in hour burden and cost burden according to program changes or adjustments in Table 5. Denote a program increase as a positive number, and a program decrease as a negative number.**

A "**Program increase**" is an additional burden resulting from an federal government regulatory action or directive. (e.g., an increase in sample size or coverage, amount of information, reporting frequency, or expanded use of an existing form). This also includes previously in-use and unapproved information collections discovered during the ICB process, or during the fiscal year, which will be in use during the next fiscal year.

A "**Program decrease**", is a reduction in burden because of: (1) the discontinuation of an information collection; or (2) a change in an existing information collection by a Federal agency (e.g., the use of sampling (or smaller samples), a decrease in the amount of information requested (fewer questions), or a decrease in reporting frequency).

"**Adjustment**" denotes a change in burden hours due to factors over which the government has no control, such as population growth, or in factors which do not affect what information the government collects or changes in the methods used to estimate burden or correction of errors in burden estimates.

Itemized Changes in Annual Burden Hours						
Data Collection Activity / Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
NBEOC Membership Form	0	116	116	0	116	116
<b>Total</b>	0	116	116	0	116	116

**Explain:** This is a new collection.

Itemized Changes in Annual Burden Hours						
Data Collection Activity / Instrument	Program Change (hours currently on OMB Inventory)	Program Change (New)	Difference	Adjustment (hours currently on OMB Inventory)	Adjustment (New)	Difference
NBEOC Membership Form	\$0	\$6,817	\$6,817	\$0	\$6,817	\$6,817
<b>Total</b>	\$0	\$6,817	\$6,817	\$0	\$6,817	\$6,817

**Explain:** This is a new collection.

**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.**

There are no outline plans for tabulation and publication of data for this information collection.

**17. If seeking approval not to display the expiration date for OMB approval of the information collection, explain reasons that display would be inappropriate.**

This collection does not seek approval to not display the expiration date for OMB approval.

**18. Explain each exception to the certification statement identified in Item 19 “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.**

FEMA does not request an exception to the certification of this information collection.