


MEMORANDUM

Date: June 29, 2022

To: Michael McManus  
Desk Officer  
Office of Information and Regulatory Affairs  
Office of Management and Budget

From: Patricia Hu, Director  
Bureau of Transportation Statistics  
Office of the Assistant Secretary for Research and Technology  
U.S. Department of Transportation 

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Subject: FLOW Initiative – Request for Emergency Review and Clearance

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**Summary**

The Bureau of Transportation Statistics (BTS) Office of the Assistant Secretary for Research and Technology (OST-R), U.S. Department of Transportation seeks emergency clearance from the OMB to collect information from participants of the Freight Logistics Optimization Works (FLOW) initiative, a joint endeavor between the USDOT and the freight industry aimed at improving key freight information exchange between parts of the goods movement supply chain.

**Background**

In March 2022, in response to supply chain challenges arising from the COVID-19 pandemic, the Administration announced the FLOW initiative to improve exchange of key information between parts of the goods movement supply chain and directed USDOT to lead the effort.<sup>1</sup> FLOW, which builds on previous work by the Administration’s Supply Chain Disruptions Task Force, will support industry decision making associated with the daily management of cargo and assets. The availability and exchange of operational information between FLOW participants is expected to be a source of significant benefit to the national logistics system, i.e., the complex collection of personnel, transportation assets, vessels, trucks, railcars, equipment, and any and all other freight components that comprise the United States’ supply chain system.

In June 2022, OST-R / BTS was identified as the independent data steward for the initiative. BTS will administer the FLOW data collection, including develop and implement a data collection system and secure hosting environment to support and manage a database of information provided by participating companies. BTS will also support analysis of this information and sharing of results.

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<sup>1</sup> The White House fact sheet on the FLOW initiative can be found at <https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/15/fact-sheet-biden-harris-administration-announces-new-initiative-to-improve-supply-chain-data-flow/>.

## **The Data Collection**

The first phase of the FLOW initiative is a pilot effort to develop a proof-of-concept information exchange and operationalize it to support industry decision-making. The pilot phase will limit the scope of data collected to the flow of goods to and from a limited number of terminals (e.g., ports) and involve approximately 20 participating companies. Following completion of the pilot, the program is expected to grow to include additional terminals and companies. Companies participating in FLOW will voluntarily submit relevant data; there is no regulatory requirement to submit such data.

Data collected under this initiative will be submitted by participating companies via a secure online portal. Data submitted will include purchase order forecasts, cargo bookings, vessels in-transit, marine terminal space availability, drayage truck dispatch capacity, over-the-road truck dispatch capacity, chassis availability, and warehouse capacity. These data will be used to create an index of demand over capacity that is expected to act as a leading indicator of freight congestion and supply chain performance. The index, which will help communicate the degree of oversupply or undersupply of logistics assets, is intended to support a data driven approach to balance U.S. cargo traffic demand with system capacity.

BTS will protect the confidentiality of the data submitted under its own statute as a federal statistical agency (49 USC 6307(b)) and the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) of 2018 (Title III of the Foundations for Evidence-Based Policymaking Act of 2018, Pub. L. 115-435, codified in 44 U.S.C. Ch. 35). In accordance with CIPSEA, FLOW data will be used exclusively for statistical purposes and will not be disclosed in identifiable form except with the informed consent of the respondent.

## **Request for Emergency Clearance**

BTS has determined that collection of this information is needed prior to the expiration of time periods established under Part 1320, and that this information is essential to both the USDOT mission to serve the American people and economy through the safe, efficient, sustainable, and equitable movement of people and goods, as well as the BTS mission to provide timely, accurate, and credible information on the movement of people and goods. The COVID-19 pandemic is an unanticipated event that continues to negatively impact processes related to the movement of goods and the U.S. economy. It is imperative for the federal statistical system to produce real-time, objective data to allow for informed decision making by freight companies and stakeholders to speed up the movement of goods and lower costs for U.S. consumers.

We have reviewed the requirements for emergency clearance outlined in 5 CFR 1320.13 and believe that the situation meets the criteria outlined therein. We thus request emergency clearance to collect this information immediately upon OMB approval.