

Ocean Shipping Reform Act (OSRA) Pilot Data Collection

SUPPORTING STATEMENT

Part A.

JUSTIFICATION

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## Part A. Justification.

### 1. Circumstances that make collection of information necessary:

The country has been struggling with unprecedented supply chain disruptions, along with a surge in the need for containerized cargo through our ports and intermodal networks. In response, Congress passed the *Ocean Shipping Reform Act of 2022 (OSRA 22)*<sup>1</sup> on June 15, 2022. Section 16 of the OSRA 22 mandates BTS to produce statistics on the total street dwell time from all causes of intermodal shipping containers (ISO 668) and chassis and the average out of service percentage of chassis. BTS was granted the authority to collect data from “each port, marine terminal operator, and chassis owner or provider with a fleet of over 50 chassis that supply chassis for a fee” (OSRA 22) as deemed necessary to produce these statistics.

Under the law, BTS is tasked with establishing a new data collection and producing the first monthly report no later than 240 days from the request. As part of establishing a new data collection, BTS needs to establish a sample frame and research available data sources and data items from in scope ports, terminals, and intermodal equipment providers. A pilot test will build a foundation upon which a national program can be built.

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

This pilot data collection will be used to determine what data are available to assess intermodal shipping containers and chassis dwell time and the chassis out of service rate.

To do this, BTS will contract with national experts in the ocean shipping industry that will be required to develop a scope for measuring street dwell time of intermodal chassis and intermodal shipping containers (ISO 668) at ports and inland ports. At a minimum the following information will need to be captured to develop the pilot data collection:

- A universe of all Intermodal Equipment Providers (IEPs) serving the U.S.
- A list of IEPs that have a fleet of 50 or more chassis that offer service to the U.S. market for a fee
- A description and identification of the universe of international shipping containers at ports and inland ports
- A list of the top 25 ports and inland ports as measured by twenty-foot equivalent unit (abbreviated TEU)
- How street dwell time is calculated and documented for chassis and intermodal shipping containers
- The normal bounds for a typical street dwell time and what would be considered outside normal bounds for chassis and intermodal shipping containers
- Frame and methods to capture out of service chassis
- Frame and methods to capture container street dwell time

To obtain such information, the contractors will be required to conduct outreach to marine container ports (both ports and inland ports), terminals, ocean carriers, IEPs, and other industry

entities to research available data sources and data items, such as, ocean shipping associations, advocacy, or membership groups. The Contractor will then be required to evaluate available data elements and sources for their usefulness in developing statistics on street dwell time and out-of-service rate for addressing the OSRA 22 requirements.

The contractor will be required to help BTS determine public or private performance measures from the reporting entities and/or data sources that can be compared across data sources to develop the necessary statistics for the OSRA 22 requirement. All data sources, methods, processes, and procedures that the Contractor develops shall be readily identifiable, accessible, understandable, and implementable by BTS for the purposes of the OSRA 22 requirement only.

As a result of the outreach, BTS will better understand the:

- Available data to measure marine container and chassis street dwell time and the number of chassis available and out of service, and their source.
- Data structure and attributes.
- Methods and processes for collecting and compiling the data and developing the statistics.
- Any limitations on the dissemination of the data to the public.
- Potential weaknesses and shortcomings of the data for developing the statistics.
- Issues, risks, and potential challenges of using the data to develop the statistics.
- The timeliness and granularity (level of detail) that is estimated will result from use of the data source to develop the statistics.
- Reporting processes and structure
- Disclosure avoidance methodology

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.

BTS was granted the authority to collect data from “each port, marine terminal operator, and chassis owner or provider with a fleet of over 50 chassis that supply chassis for a fee” (OSRA 22) as deemed necessary to produce these statistics. The data will be collected electronically through a secure portal. The pilot will assess the ways in which the data can be efficiently transferred in an automated way for the national program.

4. Efforts to identify duplication:

Based upon our interagency outreach, these data are not currently collected by the DOT or any other federal agency. The need for these data were identified by Congress and mandated through OSRA 22. There is no known marine container and chassis datasets that can provide the statistics have been requested to fulfill the mandate.

5. Efforts to minimize the burden on small businesses:

No small businesses will be included in the pilot test. As requested within OSRA 22, BTS will only collect data from “each port, marine terminal operator, and chassis owner or provider with a fleet of over 50 chassis that supply chassis for a fee.”

6. Impact of less frequent collection of information:

The pilot data collection will be a one-time burden to determine how the data collection can be automated for the OSRA National data collection. If the pilot data are not collected, the proof-of-concept cannot be created for the mandated OSRA National program.

Due to automation, reducing the frequency of the collection will not decrease the burden. OSRA 22 requires that BTS collect the data at least monthly. BTS will not collect the data at any greater frequency than once monthly, which will be frequent enough to provide the requested data.

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

- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, government contracts, grant-in-aid, or tax records for more than 3 years;
- 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;
- requiring the use of statistical data classification that has not been reviewed and approved by OMB;
- 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; or
- requiring respondents to submit proprietary trade secrets, 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.

There are no special circumstances that pertain to this information collection.

8. Compliance with 5 CFR 1320.8:

Collection of these data is conducted in a manner consistent with the guidelines in 5 CFR 1320.5.

9. Payments or gifts to respondents:

No payments or gifts to respondents.

10. Assurance of confidentiality:

BTS will protect the confidentiality of the data under its own confidentiality statute (49 U.S.C. 6307(b)), the *Confidential Information Protection and Statistical Efficiency Act (CIPSEA)* (44 U.S.C. § 3501), and the *Foundations for Evidence-Based Policymaking Act* of 2018 (Title 3 of Public Law 115-438). Only regional or national statistics will be shared, not the raw data and appropriate disclosure avoidance methods will be applied if there is any disclosure risk.

11. Justification for collection of sensitive information:

Collected data may be considered business sensitive. These data will be protected under CIPSEA and provided voluntarily.

12. Estimate of burden hours for information requested:

Participant Type	Expected Burden Hours Per	Number of Participants	Total Burden
Ocean Carriers	2	154	308
Port, including inland dry ports	2	25	50
Marine terminal operator, intermodal terminal facilities operators (e.g., ICTF)	2	75	150
Chassis owner, motor carrier, or IEPs	2	150	300
Total			808 hours

It is expected to take approximately 2 hours for each participant to gather their data and connect to the portal. The total burden hours for the pilot are 808 hours.

It is estimated a Transportation, Storage, and Distribution manager will be able to complete the request. The median hourly wage rate is \$47.22<sup>2</sup>. Therefore, the total cost for this effort per respondent is \$94.44.

13. Provide an estimate of cost to the respondents. Do not include the cost of any hour burden shown in items 12 and 14. General estimates should not include purchase of equipment or services, or portions thereof made prior to October 1995.

There is no additional cost to the respondents.

14. Estimate of cost to the Federal government:

The cost of pilot data collection phase to the Federal government will be a total of: \$450,000  
This includes one full-time employee at the cost of: \$160,000  
Secure server space for the data collection will be needed at the cost of: \$20,000  
One senior project manager, national and mid-level expert logistician/supply chain specialist, senior and junior transportation specialist/analyst, mid-level research analyst, senior survey statistician, senior math statistician, mid-level data analyst, junior dynamic visualization specialist, senior technical writer, and mid-level editor will be needed at the cost of: \$716,784.50

15. Explanation of program changes or adjustments:

This is a new ICR.

16. Publication of results of data collection:

At the conclusion of this six-week pilot, the resulting data will be analyzed to produce preliminary marine container and chassis street dwell time and chassis out-of-service statistics. More importantly, an understanding of the available data, data respondents, data collection processes and procedures necessary data to satisfy the OSRA 22 mandate will be developed to stand up a OSRA national data collection. In addition to the contractors being required to produce the preliminary statistics because of the pilot data collection, they will also be required to assess the pilot and develop an approach for the BTS OSRA National Data Collection program and methodology for disclosure avoidance.

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

Not applicable. BTS is not seeking approval to not display the expiration date.

18. Exceptions to certification statement:

Not applicable. BTS does not have any exceptions to the certification statement.

19. References

<sup>1</sup>[S.3580 - 117th Congress \(2021-2022\): Ocean Shipping Reform Act of 2022 | Congress.gov | Library of Congress](#)

<sup>2</sup>[Transportation, Storage, and Distribution Managers \(bls.gov\)](#)