

**Department of Transportation
Maritime Administration
Information Collection Request (ICR)
OMB 2133-0529**

Application for Waiver of the Coastwise Trade Laws for Small Passenger Vessels

SUPPORTING STATEMENT

INTRODUCTION

This submission is to request a three-year approval from the Office of Management and Budget (OMB) for the information collection OMB 2133-0529 (Application for Waiver of the Coastwise Trade Laws for Small Passenger Vessels), which expires on August 31, 2025. Since the last renewal the total respondents, responses and burden hours have increased. Consequently, this collection will be submitted as *an extension without change of a currently approved collection*.

A. JUSTIFICATION

1. Circumstances Making the Collection of Information Necessary

Section 12121 of Title 46, United States Code (U.S.C.) authorizes the Secretary of Homeland Security to administratively waive the U.S. build and other requirements of 46 U.S.C. §§ 12112 and 55103, for foreign-built small passenger vessels or uninspected foreign-built passenger vessels authorized to carry no more than 12 passengers, if the Secretary of Transportation determines after notice to the public, that there are no adverse impacts to U.S. vessel builders or coastwise businesses that employ U.S. vessels in that business, by allowing foreign-built vessels to operate in the coastwise trade. To fulfill this requirement, owners of foreign-built vessels must request an eligibility determination from the Maritime Administration (MARAD) and provide information about their proposed operation.

2. Purpose and Use of the Information Collection

MARAD personnel will use collected data to determine if the applicant is entitled to an impact determination, provided they submit sufficient evidence that the operation of their foreign-built vessels will not have an undue adverse effect on U.S. vessel operator or builder.

3. Automation or Use of Information Technology (IT)

Electronic submission of all data for this information collection is acceptable. Respondents can also submit a completed Form MA-1023, *Request For U.S. Shipbuilder And Coastwise Trade Operator Impact Determination*, in any format. The electronic form is currently available under Programs, Small Vessel Waiver Program on MARAD's website: www.marad.dot.gov. The information requested is the minimum required to carry out the Government's responsibilities.

4. Efforts to Identify Duplication

MARAD is the only government agency authorized to make these determinations and collect information for this purpose.

5. Impact on Small Businesses or Other Small Entities

This information collection does not have a significant impact on small businesses or other small entities.

6. Impact of Not Conducting or Less Frequent Collection of Information

Without this collection, MARAD's ability to appropriately determine which entities to MARAD personnel would be unable to know to whom to grant determinations would be significantly hampered, thus adversely impacting the agency's ability to implement thereby negating the purpose of the statute.

7. Special Circumstances Relating to the Guideline 5 CFR 1320.5

There are no special circumstances that require the collection of information to be conducted in a manner described below:

- Requiring respondents to report information to MARAD more often than quarterly;
- Requiring respondents to prepare a written response in fewer than 30 days after receipt of a collection instrument;
- Requiring respondents to submit more than one original copy of any document;
- Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- Requiring the use of any statistical data that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- Requiring any pledge of confidentiality; or
- Requiring respondents to submit any proprietary or trade secrets.

8. Public Comments in Response to the Federal Register Notice and Outside Consultation

MARAD published a 60-day notice and request for comments on this information collection in the Federal Register (FR 24312, Vol. 90, No. 109) on June 9, 2025, indicating comments should be submitted on or before August 8, 2025. Two comments were received. One non-substantive comment was unrelated to the program, while the substantive comment from the Passenger Vessel Associate received a response. A 30-day notice will now be published in the Federal Register to solicit public comments.

9. Explanation of Any Payments or Gifts to Respondents

No payments or gifts are provided to respondents.

10. Assurance of Confidentiality and Protection of Privacy:

Respondents were not assured of confidentiality.

11. Justification for Sensitive Questions

There are no questions of a sensitive nature.

12. Estimate of Annualized Burden Hours and Cost

a. Estimated Annualized Burden Hours

An estimated 200 owners of U.S. built small passenger vessel, prospective vessel owners, and/or vessel brokers will respond once annually to this collection, for a total 200 responses. Each respondent will take approximately one (1) hour to respond to this collection, for a total 200 hours, which can be calculated as shown in the table below:

Total Respondents	*	Total Responses per Respondent	=	Total Responses	*	Average Time Taken to Respond (Hour)	=	Total Burden Hours
200	*	1	=	200	*	1	=	200

b. Estimated Annualized Cost Burden

The Bureau of Labor and Statistics (BLS)¹ estimates that the average hourly wage for Captains, Mates, and Pilots of Water Vessels (53-5021) is \$ 46.95. When combined the total compensation rate of 29%², the annualized hourly rate is \$ 60.57. Therefore, the total annualized cost burden for all tasks involved in preparing and submitting data in response to this collection is \$12,114.00, which can be calculated as shown in the table below:

Title and Code of Respondents	Hourly Wage	Compensation Rate of 29%	*	Number of Employees	*	Total Annualized Burden Hours	=	Total Annualized Cost Burden
Captains, Mates, and Pilots of Water Vessels (53-5021)	\$ 46.95	\$ 60.57	*	1	*	200	=	\$ 12,114.00

13. Estimate of the Total Annual Cost Burden to Respondents and/or Record Keeper

¹ The hourly wage estimate is taken from current BLS tables: <https://data.bls.gov/oes/#/industry/000000>

² Per BLS Employee Compensation Memo, the total compensation rate for the private sector is 29%, :<https://www.bls.gov/news.release/pdf/ecec.pdf>

- (a) Total Capital and Start-Up Costs Estimate: There are no capital or start-up costs associated with this collection.
- (b) Total Operation and Maintenance and Purchase of Services is as follows: The total combined operation and maintenance costs associated with this collection is \$ 100,700.00. This includes the one-time application fee of \$ 500 per respondent and copying and mailing costs totaling \$ 3.50 person, which can be calculated as shown in the table below:

APPLICATIONS (200 Responses)	
Activity	Cost
One time application Fee @ \$ 500) * 200 (total respondents)	\$ 100,000.00
Copying & Mailing Costs	
Copying Costs @ 2 total copies of the application per person) * 3 (total pages) * \$.26 ³ (copy cost per page)	\$ 1.56
Envelope @ 1 (total envelopes needed) * \$.48 ⁴ ((total cost per envelope)	\$ 0.48
Postage @ 2 (total stamps per package) * \$.73 ⁵ (cost per stamp)	\$ 1.46
Combined Total Mailing Cost	\$ 3.50
Total Mailing Costs: \$3.50 (cost per respondent) * 200 (total responses)	\$ 700.00
Total Respondent Cost: \$ 100,000 (Total Application Fees) + \$700 (Total Mailing Costs)	\$ 100,700.00

14. Estimate of Federal Government Costs

The total annual cost to the Federal Government for processing the collection is \$46,675.00:

According to the Office of Personnel Management (OPM)⁶ wage tables, the hourly wage rate for a GS 13 (Step 8) Federal employee with a Washington-Baltimore-Arlington locality pay who works on the Maritime Administration’s Small Vessel Waiver Program is \$ 71.26. When combined the total compensation rate of 31%⁷, the total hourly wage rate for this employee is \$ 93.35. This employee will take about 2.5 hours to review and process applications for this collection. Therefore, the total combined costs

³ Black and White Copying costs taken from FedEx Copying services:

https://www.office.fedex.com/default/copies.html?s_kwcid=AL!20832!10!78477847004553!78478051016025&gclid=e4adcfe3587519bb48cda8098396c16c&gclsrc=3p.ds&&CMP=KNC-8000047-68-9-950-1110000-US-US-EN-123855:123898:2201401&ds_k=fedex+office&msclkid=e4adcfe3587519bb48cda8098396c16c

⁴ Cost of Individual Quality Park Clasp & Moistenable Glue Kraft Catalog Envelopes, 10" x 13", taken from Staples: [Quality Park Clasp & Moistenable Glue Kraft Catalog Envelopes, 10" x 13", Kraft, 100/Box \(QUA37797\) | Staples](https://www.staples.com/staples/Quality-Park-Clasp-Moistenable-Glue-Kraft-Catalog-Envelopes-10-x-13-Kraft-100-Box-QUA37797-1-Staples)

⁵ Regular Postage cost for each Forever stamp is taken from the United States Postal Service: : https://store.usps.com/store/product/us-flags-2024-stamps-S_684904

⁶ The hourly Federal Government wage is taken from OPM 2024 wage tables: https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/25Tables/html/DCB_h.aspx

⁷ Per BLS Employee Compensation Memo, the total compensation rate for the private sector is 29%, :<https://www.bls.gov/news.release/pdf/ecec.pdf>

for this effort are \$ 46,675.00, which can be calculated as shown in the table below:

FTE Grade and Step & CRF Program Related Task	Hourly Wage	Average Hourly Wage Rate with 31% Compensation		Total Employees		Total Time for Per application (Avg. Hours)		Responses per Person		Frequency of Responses		Total Federal Government Wages
GS 13 (Step 8): Review and Process each application)	\$ 71.26	\$ 93.35	*	1	*	2.5	*	200	*	1	=	\$ 46,675.00

15. Explanation of Program Changes or Adjustments

Since the last renewal, the total respondents, responses, and burden hours have increased from 138 to 200, which has caused in increase in the cost burden from \$ 69,000 to \$ 100,700.

16. Publication of Data Collection Results

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

17. Display of the OMB Expiration Date

MARAD is not seeking approval to avoid displaying the OMB expiration date.

18. Exceptions to the Certification Statement

There are no exceptions to the certification statement.