SUPPORTING STATEMENT

FEDERAL MARITIME COMMISSION
46 CFR Part 515 – Licensing, Financial Responsibility Requirements, and General Duties for Ocean Transportation Intermediaries and Related Forms (FMC-18, FMC-48, FMC-48A, FMC-65, FMC-67, FMC-68, FMC-69, and FMC-69A)
(OMB No. 3072-0018)

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.

Ocean transportation intermediaries (OTIs)[1] mut be licensed by the Federal Maritime Commission ("the Commission" or FMC) in order to operate in the United States. 46 U.S.C. 40901(a). The FMC must collect information from applicants to determine whether they are qualified by experience and character to act as an OTI in accordance with 46 U.S.C. 40901(a). Further, 46 U.S.C. 40902(a) states that the FMC is required to determine financial responsibility of OTIs; and to collect information to ensure financial responsibility by requiring a person to furnish a bond, proof of insurance, and other surety.

The Commission's regulations at 46 CFR part 515 implement these statutory requirements. Part 515 provides requirements for the licensing and registration as OTIs of persons who wish to carry on the business of providing intermediary services. 46 CFR 515.1. This information collection is in support of those requirements. These collections ensure that the Commission is able to meet its statutory duties under the Shipping Act.

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.

The information collected will be used by the Federal Maritime Commission staff to determine if an applicant for a license as an OTI meets the necessary qualifications set forth in 46 CFR Part 515 to be eligible for such a license. After a license is granted, this information is also needed for the purpose of monitoring the activities and status of licensees to ensure they are in compliance with statutory requirements and Commission regulations. The information collected is also used to register foreign-based entities as OTIs and to ensure financial responsibility by requiring OTIs to furnish a bond, proof of insurance, and other surety.

[1] *Ocean transportation intermediaries* are either *ocean freight forwarders* or *non-vessel-operating common carriers*, 46 U.S.C. 46 U.S.C. 40102(20). *Ocean freight forwarder* is defined at 46 U.S.C. 40102(19). *Non-vessel-operating common carrier* is defined at 46 U.S.C. 40102(17).

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.

As part of this renewal the Commission is seeking a modification to this collection from OMB to allow deployment of a modernized system. The current electronic Form FMC-18 is a legacy system that requires the use of Microsoft Internet Explorer. On June 15, 2022, Microsoft ended support for Internet Explorer and has since directed users to Microsoft Edge, which offers a built-in "IE mode" for legacy site compatibility but requires the end user to go through a lengthy and sometimes confusing process to enable the feature. External users of the electronic Form FMC-18 have been utilizing this burdensome process for electronic submissions since June 2022.

The new FMC systems will be implemented utilizing Microsoft Entra ID (Microsoft Entra) and Service Now PSDS (Service Now). Microsoft Entra is used to securely create and manage ID logins and the Service Now will be the platform through which the external user will submit the information collected on all forms.

An external user will navigate to the Commission's website and create a user account through Microsoft Entra. When an external user account is created and activated, the user will be able to use that single sign-on (SSO) to gain access to all FMC-related forms through Service Now. To comply with federal security mandates, FMC is implementing a more robust security posture when customers create user accounts for our external facing systems. The modification will confirm that the owner of the account is indeed the rightful owner through security measures and best practice of security codes being sent to the customer upon account creation and log on. This extra layer of protection follows federal best practices for safeguarding public data.

The Form FMC-18 will remain an electronic form and the information will transition from the legacy system, and in the future, be submitted through Service Now. The Forms FMC-48, FMC-48A, FMC-65, FMC-69 and FMC-69A will also be accessed through Service Now and will primarily be submitted through the automated electronic system but will remain as pdf forms available on the Commission's website.

Forms FMC-67 and FMC-68 are available only in fillable pdf form and will continue to be accepted only by email or mail. For fiscal years 2023 to 2025, there were no filings of FMC-67 or FMC-68.

The use of Microsoft Entra and Service Now will substantially reduce the burden to the public both from a procedural and security standpoint. For example, the use of Entra and Service Now reduces the need for separate usernames and passwords due to the centralized nature of the system and allows better security controls. The single sign-on will allow users to securely gain access to all forms in a centralized location, which is a departure from current systems in use at the Commission. Additionally, the secure access will conform to modern verification and multi-factor

authentication methods. Both Microsoft Entra and Service Now will also allow the use of modern, Chromium-based browsers like Google Chrome, Microsoft Edge, Firefox, and Safari.

Additionally, on amendment applications for the Form FMC-18, the form will auto populate with the entity information previously submitted and vetted to reduce the burden of data input and human error from the external user. This same auto populate information will be available to external users that submit Forms FMC-48, FMC-48A, FMC-69 and FMC-69A[2] to reduce the human error commonly associated with the submission of those forms.

Currently, Forms FMC-18, FMC-48, FMC-48A, FMC-65, FMC-69 and FMC-69A require external users to use a wet signature and submit the signed part of the form either in the portal (FMC-18) or via email (FMC-48, FMC-48A, FMC-65, FMC-69 and FMC-69A). In the Service Now platform, Forms FMC-18, FMC-48, FMC-48A, FMC-65, FMC-69 and FMC-69A will allow for electronic signature, eliminating the need for additional uploading or emailing of a wet signature.

4. Describe efforts to identify duplication.

This collection does not duplicate any information that would normally be collected elsewhere.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

The Commission presumes all OTIs to be small businesses. The Commission believes that the burden imposed on OTIs is justified and necessary in light of legislative intent, and because of the benefit to the shipping public and to carriers gained by licensing and requiring evidence of financial responsibility of all OTIs. The Commission believes, moreover, that the information collected is maintained in the normal course of business and is readily available.

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

This information collection is required for the Commission to fulfill the requirements of the 46 U.S.C § 40901(a) and 46 U.S.C § 40902(a) regarding ocean transportation intermediaries.

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[2] The Form FMC-65 was excluded from auto populate because the information required is extremely minimal compared to an FMC-18, and most FMC-65s submitted are for initial registrants.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines. (a) requiring respondents to report information to the agency more often than quarterly; (b) requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; (c) requiring respondents to submit more than an original and two copies of any document; (d) requiring respondents to retain records, other than health, medical government contract, grant-in-aid, or tax records, for more than three years; (e) in connection with a statistical survey, that is not designed to product valid and reliable results that can be generalized to the universe of study; (f) requiring the use of statistical data classification that has not been reviewed and approved by OMB; (g) that includes a pledge of confidentially that is not supported by authority established in statute of 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; (h) 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.

With the exception of a records retention requirement (section (d) above), this information collection does not require the collection to be conducted in a manner inconsistent with OMB guidelines. There is a five-year recordkeeping requirement for this information collection that is consistent with the statute of limitation provisions in 46 U.S.C. 41109. 46 CFR 515.33 does require that certain records be kept for five years.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), 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. 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 60-day Federal Register Notice regarding this extension was published August 11, 2026, at 91 FR 51707. Respondents had 60 days to respond with their views regarding the collection of information; two comments were received.

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

Not applicable – The Commission does not provide any payments or gifts to respondents.

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

The Commission provides confidential treatment for identified confidential information to the extent allowed by law; and if the agency reasonably foresees that disclosure would harm an interest protected by an exemption as described in the Freedom of Information Act, 5 U.S.C. § 552; and protections under the Privacy Act of 1974, 5 U.S.C. § 552a.

11. Provide additional justification for any questions 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.

Form FMC-18 asks that respondents give information regarding involvement in bankruptcies, violations related to shipping and bill of lading statutes, as well as convictions for drug distribution or possession or other felonies, if applicable. The Commission considers this information necessary because the applicant will be representing others in a fiduciary capacity or assuming responsibility for the safe transportation of cargo. The Commission uses this information to assist in evaluation of the applicant. Form FMC-18 includes a "Privacy Act Notice" explaining the need for and the use of the information. There are no questions of a sensitive nature in Forms FMC-48, 48A, 65 ,67, 68, 69, and 69A.

12. Provide estimates of the hour burden of the collection of information. The statement should indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, FMC should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample fewer than 10 potential respondents is desirable.

Due to an increase in the number of OTIs, the inclusion of Form FMC-65 Change submissions and Recordkeeping requirements, the Commission estimates the responses as 19,046. The total respondent universe is estimated at 9,611 (Estimated Total of OTIs at end of FY 2025.) The information is collected on an ad hoc basis; OTI renewals are submitted every three years.

The average time per response to complete a new application Form FMC-18 is 2 hours, an amended FMC-18 is 1 hour and to complete the triennial renewal is 10 minutes. The time to complete a financial responsibility form (FMC-48, FMC-48A, FMC-67, FMC-68, FMC-69, or FMC-69A) ranges from 10 to 20 minutes. The time to complete Form FMC-65 to submit, renew or report changes to a registration as a foreign-based, unlicensed NVOCC averages 10 minutes (see below).

In Service Now, the average time per response to complete an initial application Form FMC-18 is expected to remain 2 hours per response and an amended application Form FMC-18 averages to 1 hour due to the auto populated information. The completion time of the triennial

renewal will remain 10 minutes. The time to complete a financial responsibility form (FMC-48, FMC-48A, FMC-69, or FMC-69A) will be reduced to 10 minutes due to the auto populated information and electronic signature capability. The time to complete a financial responsibility forms (FMC-67, FMC-68) averages 20 minutes because they remain in pdf format. In FY 2023 to 2025, the FMC did not receive any Forms FMC-67 or FMC-68. The time to complete Form FMC-65 to submit, renew or report changes to a registration as a foreign-based, unlicensed NVOCC averages 10 minutes due to the electronic signature capability (see below)

Note: Total Annual Burden Hours have been rounded to the nearest 10th; actual totals may vary.

New OTI Licensing; FMC-18; 46 CFR 515.3. 515.4(b)(2), 515.5, 515.12

	Explanation of how the burden was estimated	Current Estimate	Previously Approved	Change	Comment
Annual number of responses	One-time filing	360	750	-390	Change due to adjustment in Agency estimate
Time per response (in hours)	Includes time to: review instructions; compile materials necessary for collection; search data sources; complete and review the information; and send it to the Commission.	2	2	0	Change due to adjustment in Agency estimate.
Total Annual Burden (in hours)		720	1,500	-780	

OTI License Renewal FMC-18; 46 CFR 515.14(d)

	Explanation of how the burden was estimated	Current Estimate	Previously Approved	Change	Comment
Annual number of responses	Licenses shall not be issued for an initial period of not less than one year and not greater than four years as determined by the license number and published on the Commission website. Thereafter, licenses will be renewed for sequential three-year periods…	1,780	1,770	+10	Change due to adjustment in Agency estimate
Time per response (in hours)	Includes time to: review instructions; compile materials necessary for collection; search data sources; complete and review the information; and send it to the Commission.	0.17	0.17	0	Change due to adjustment in Agency estimate.
Total Annual Burden (in hours)		302.6	295	+7.6	

Change in Organization; FMC-18; 46 CFR 515.20

	Explanation of how the burden was estimated	Current Estimate	Previously Approved	Change	Comment
Annual number of responses		280	750	-470	Change due to adjustment in Agency estimate
Time per response (in hours)	Includes time to: review instructions; compile materials necessary for collection; search data sources; complete and review the information; and send it	1	2	-1	Change due to adjustment in Agency estimate.

	to the Commission.				
Total Annual Burden (in hours)		280	1,500	-1,220	

Proof of Financial Responsibility; FMC-69, FMC-48, FMC-67, FMC-68; 46 CFR 515.21 and 515.22

	Explanation of how the burden was estimated	**Current Estimate**	**Previously Approved**	**Change**	**Comment**
Annual number of responses		6,406	5,210	+1,196	Change due to adjustment in Agency estimate FMC-67 and FMC-68 are technically applicable but the agency has never received a response from the public using these forms
Time per response (in hours)	Includes time to: review instructions; compile materials necessary for collection; search data sources; complete and review the information; and send it to the Commission.	0.33	0.33	0	
Total Annual Burden (in hours)		2,113.98	1,737	+376.98	

Proof of Financial Responsibility—Optional Rider; FMC-48A, FMC-69A; 46 CFR 515.25

	Explanation of how the burden was estimated	**Current Estimate**	**Previously Approved**	**Change**	**Comment**
Annual number of responses		3	12	-9	Change due to adjustment in Agency estimate
Time per response (in hours)	Includes time to: review instructions; compile materials necessary for collection; search data sources; complete and review the information; and send it to the Commission.	0.17	1	-0.83	Change due to adjustment in Agency estimate.
Total Annual Burden (in hours)		0.51	12	-11.49	

Registration of Foreign-Based Unlicensed NVOCCs; FMC-65; 46 CFR 515.19(a)

	Explanation of how the burden was estimated	**Current Estimate**	**Previously Approved**	**Change**	**Comment**
Annual number of responses		744	2,390	-1,646	Change due to adjustment in Agency estimate
Time per response (in hours)	Includes time to: review instructions; compile materials necessary for collection; search data sources; complete and review the information; and send it to the Commission.	0.17	0.25	-0.08	Change due to adjustment in Agency estimate.
Total Annual Burden (in hours)		126.48	598	-471.52	

Registration Renewal of Foreign-Based Unlicensed NVOCCs; FMC-65; 46 CFR 515.19(d)

	Explanation of how the burden was estimated	Current Estimate	Previously Approved	Change	Comment
Annual number of responses		1,531	2,390	-859	Change due to adjustment in Agency estimate
Time per response (in hours)	Includes time to: review instructions; compile materials necessary for collection; search data sources; complete and review the information; and send it to the Commission.	0.17	0.25	-0.08	Change due to adjustment in Agency estimate.
Total Annual Burden (in hours)		260.27	598	-337.73	

Organizational Changes of Foreign-Based Unlicensed NVOCCs; 46 CFR 515.19(f)

	Explanation of how the burden was estimated	Current Estimate	Previously Approved	Change	Comment
Annual number of responses		471	0	+471	Change due to adjustment in Agency estimate
Time per response (in hours)	Includes time to: review instructions; compile materials necessary for collection; search data sources; complete and review the information; and send it to the Commission.	0.17	0	+0.17	Change due to adjustment in Agency estimate
Total Annual Burden (in hours)		80.07	0	+80.07	

Recordkeeping; 46 CFR 515.33

	Explanation of how the burden was estimated	Current Estimate	Previously Approved	Change	Comment
Annual number of responses	All licensed or registered NVOCCs and licensed ocean freight forwarders	9,611	0	+9,611	
Time per response (in hours)		0.25	0	+0.25	
Total Annual Burden (in hours)		2,402.75	0	+2,402.75	

Total Burden Hours

Item	Annual Responses	Hours per response	Est. Annual Hours
New OTI Licensing	360	2	720
OTI License Renewal	1,780	0.17	302.6
Change in Organization (515.20)	280	1	280
Proof of Financial Responsibility	6,406	0.33	2,113.98
Proof of Financial Responsibility—Optional Rider	3	0.17	0.51
Registration of Foreign-Based Unlicensed NVOCCs	744	0.17	126.48
Registration Renewal of Foreign-Based	1,531	0.17	260.27

Unlicensed NVOCCs;			
Organizational Changes of Foreign-Based Unlicensed NVOCCs	471	0.17	80.07
Recordkeeping	9,611	0.25	2,402.75
TOTAL	19,046	4.43	6,286.66

The Commission estimates an annualized cost to respondents for information collection as **$626,780.00**. This is based on a burden of **6,286.66** person-hours. This cost has been calculated in consideration of the time to gather information and furnish it to the Commission, as well as comply with the requirements of 46 CFR part 515. It also includes clerical and recordkeeping time, as well as overhead and operational expenses. 46 CFR Part 515.33 lists the records required to be kept. FMC assumes the burden hours are split evenly between administrative support staff and transportation managers. Wage information is based on the 2025 Occupational Employment and Wage Statistics produced by the Bureau of Labor Statistics. Overhead is assumed to be 107.40%.
(See Attachment 1.)

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

*** The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**
*** If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.**
*** Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

Respondents have no capital or start-up costs associated with the collections of information in 46 CFR part 515.

14. Provide estimates of annualized cost to the Federal government.

The total estimated cost to the Federal Government for the Commission to carry out this collection of information is estimated to be **$438,413.57**. **(See attachment 2).** This -includes overhead and benefits. The overhead rate is assumed to be 107.40%.

The development IT cost to the Federal Government is estimated at $5,444,397.82. This development cost is spread over 3 fiscal year and represents the development of multiple modernization projects at the Commission. To host the platform, ServiceNow, there is an annual average cost of $330,000.00.

15. Explain the reasons for any program changes or adjustments reported in Items 13 (or 14) of OMB Form 83-I.

The estimated burden hours for the collection has increased due to the increase in the number of OTIs. The Commission has updated the associated costs to respondents to reflect current salary information for the water transportation industry and the associated costs to the Federal Government to reflect 2026 pay scales. The cost to the Government was also updated to reflect all employees who spend time on this information collection.

The Commission has been undergoing information technology modernization to update legacy systems. These new systems will streamline the submission of FMC-18, FMC-48, FMC-48A, FMC-65, FMC-67, FMC-68, FMC-69, and FMC-69A; reducing the overall time burden for each entity**.**

16. For collections whose results will be published, outline the plans for tabulation and publication.

The Commission provides a list of OTIs in compliance with the licensing and proof of financial responsibility on its website.

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

The Commission is not seeking approval to exclude the display of the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement identified in Item 19 of OMB Form 83-I.

The Commission proposes no exception to the certification statement identified on OMB Form 83-I.

B. Collections of Information Employing Statistical Methods

This collection of information does not employ statistical methods.

Attachment 1

Estimated Burden and Costs, Including Overhead, to Respondents

720 hours (Form FMC-18, New) + 280 hours (Form FMC-18, Amended/Change in Organization) + 302.6 (OTI License Renewal) + 2,113.98 hours (Forms FMC- FMC 48, 67, 68, 69) + .51 hours (Forms FMC 48A, 69A) + 126.48 (Form FMC-65) + 260.27 (Form FMC-65 Renewal) + 80.07 (Form FMC-65, Organizational Changes) + 2,402.75 (Recordkeeping) = **6,286.66** total hours

50% Transportation Manager (3,143.33 hours)
50% Office Administrative Support (3,143.33 hours)

The annual salary calculations have been formulated using the U.S. Department of Labor's U.S. Bureau of Labor Statistics' May 2025 National Industry-Specific Occupational Employment and Wages Estimates for Water Transportation (NAICS 48300) (overhead of 107.40% has been added to the basic salary).

Formula: Annual salary/2087 + overhead rate = adjusted annual salary

Transportation Manager
$148,260/2087 = $71.04 (basic hourly rate) + $76.30 (overhead) = $147.34 (adjusted hourly salary)

Office Administrative Support
$52,380/2087 = $25.10 (basic hourly rate) + $ 26.96 (overhead) = $52.06 (adjusted hourly salary)

Employee	**Hourly Salary**	**Number of Hours**	**Total**
transportation manager	$147.34	3,143.33	$463,138.24
office administrative support	$52.06	3,143.33	$163,641.76
TOTALS		**6,286.51**	**$626,780.00**

Attachment 2

Estimated Burden and Costs, Including Overhead, to Federal Government

The annual salary calculations have been formulated using the Federal Government's January 2026 salary table for the Washington D.C. metropolitan area (overhead of 107.40% has been added to the basic salary).

Formula: Annual salary/2087 + overhead = adjusted hourly salary

Supervisory Program Manager, Director, Bureau of Certification and Licensing (GS 15/5) – 110 hours
$191,850/2087 = $91.93 (basic hourly rate) + $98.73 (overhead) = $190.66 adjusted hourly salary

Supervisory Industry Analyst, Director, Office of Ocean Transportation Intermediaries (GS 14/5) – 185 hours
$163,104/2087 = $78.15 (basic hourly rate) + $83.94 (overhead) = $162.09 adjusted hourly salary

Senior Industry Analyst (GS 13/5) – 74 hours
$138,024/2087 = $66.13 (basic hourly rate) + $71.03 (overhead) = $137.16 adjusted hourly salary

Industry Analyst (GS 12/5) – 1,296 hours
$116,071/2087 = $55.62 (basic hourly rate) + $59.73 (overhead) = $115.35 adjusted hourly salary

Industry Analyst (GS 11/5) – 1,296 hours
$96,843/2087 = $46.40 (basic hourly rate) + $49.84 (overhead) = $96.24 adjusted hourly salary

Industry Analyst (GS 9/5) – 1,296 hours
$80,041/2087 = $38.35 (basic hourly rate) + $41.19 (overhead) = $79.54 adjusted hourly salary

Employee	**Hourly Salary**	**Number of Hours**	**Total**
Supervisory Program Manager	$190.66	110	$20,972.60
Supervisory Industry Analyst	$162.09	185	$29,986.65
Senior Industry Analyst	$137.16	74	$10,149.84
Industry Analyst	$115.35	1,296	$149,493.60
Industry Analyst	$96.24	1,296	$124,727.04
Industry Analyst	$79.54	1,296	$103,083.84
TOTALS		**4,257**	**$438,413.57**