

INFORMATION COLLECTION SUPPORTING STATEMENT

General Aviation at Ronald Reagan Washington National Airport (DCA)

- 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. (Annotate the CFR parts/sections affected).**

On December 12, 2003, Congress enacted the Vision 100-Century of Aviation Reauthorization Act (Public Law 108-176). Section 823 of Vision 100 requires the Secretary of Homeland Security to develop a security plan to permit general aviation (GA) aircraft to resume operations into and out of Ronald Reagan Washington National Airport (DCA).

The Transportation Security Administration (TSA) issued an interim final rule (IFR) that implements the requirements of Vision 100. See 70 FR 41586, July 19, 2005. The IFR requires GA aircraft operators to designate a security coordinator and adopt a DCA Access Standard Security Program (DASSP). As part of the DASSP, the GA aircraft operators must ensure that all flight crewmembers, armed security officers (ASOs), and security coordinators have undergone a fingerprint-based criminal history records check (CHRC).

Aircraft operators also have to apply to the Federal Aviation Administration (FAA) for a reservation, and to TSA for authorization, to operate specific flights into and out of DCA. To receive authorization for a flight, GA aircraft operators must have name-based threat assessments conducted by TSA on their crewmembers and passengers, including armed security officers (ASOs) who are required to be onboard. Each ASO must complete specialized training and receive authorization from TSA. The operators must have their last point of departure from a Fixed Base Operator (FBO)¹ that holds a security program issued by TSA at an airport designated by TSA (referred to in the IFR as “gateway airports”). At each gateway airport, TSA will inspect the aircraft and will screen the passengers, their carry-on property, and property carried in the cargo hold of the aircraft, before it departs for DCA. The aircraft operator must also comply with all applicable FAA rules.

The IFR amended 49 CFR Part 1562 by adding a new Subpart B entitled Ronald Reagan-Washington National Airport: Enhanced Security Procedures for Certain Operations.

- 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.**

TSA requires the following individuals to submit fingerprints and other identifying information: individuals designated as security coordinators by FBOs and GA aircraft; flight crewmembers who operate GA aircraft into and out of DCA in accordance with the IFR; and

¹ An FBO is an airport-based commercial enterprise that provides support services to aircraft operators, such as maintenance, overnight parking, fueling, and deicing.

ASOs approved in accordance with the IFR. In addition to fingerprints, these individuals also are required to submit the following information: (1) legal name, including first, middle, and last, any applicable suffix, and any other names used; (2) current mailing address, including residential address if different than current mailing address; (3) date and place of birth; (4) social security number (submission is voluntary although recommended); (5) citizenship status and date of naturalization if the individual is a naturalized citizen of the United States; and (6) alien registration number, if applicable. In addition to providing fingerprints and identifying information, ASOs must also provide personal history information (employment, criminal, education, training, military, medical, and law enforcement experience) as well as a photograph and weapon information. TSA uses this information to perform a CHRC and a security threat assessment in order to assess whether the individuals pose a security threat. For flight crewmembers, TSA also uses this information to check their FAA records to determine whether they have violated restricted airspace. For ASOs, TSA will also conduct an employment history verification check. As part of the threat assessment process, TSA shares the information with the Federal Bureau of Investigation (FBI) and the FAA.

GA aircraft operators are required to provide TSA with the following identifying information for all individuals onboard each aircraft that operates into and out of DCA: (1) legal name, including first, middle, and last, any applicable suffix, and any other names used; (2) date and place of birth; (3) social security number, if applicable; (4) passport information.

GA aircraft operators also are required to provide TSA with the flight plan and registration number of their aircraft that will operate to or from DCA. TSA shares this information with the FAA for purposes of tracking and identifying approved aircraft.

Armed security officer nomination and training

Aircraft operators and FBOs participating in this program can nominate the individuals they would like to be qualified as ASOs by submitting an ASO Nomination Form to TSA. Once nominated, the ASOs are required to submit the above information, as well as employment history information, by completing an on-line application. TSA uses the applicants' information to conduct a background check, including employment and credit history checks. Upon successful completion of these checks, the names of all qualified applicants are provided to the Office of Law Enforcement/Federal Air Marshals Service (OLE-FAMS). All qualified applicants must then complete a two-day OLE-FAMS-delivered TSA training course at an OLE- FAMS Training Center location.

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. [Effective 03/22/01, your response must SPECIFICALLY reference the Government Paperwork Elimination Act (GPEA), which addresses electronic filing and recordkeeping, and what you are doing to adhere to it. You must explain how you will provide a fully electronic reporting option by October 2003, or an explanation of why this is not practicable.]***

In compliance with the GPEA, TSA has developed an on-line application system that automatically processes all applications and reduces the burden on the GA community and other Federal agencies.

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

TSA is the only agency that collects information from GA pilots, crewmembers, and passengers, including ASOs, to conduct a security threat assessment for purposes of authorizing flights into and out of DCA. Because this information is collected only when GA aircraft operators apply to operate into and out of DCA, the information collected is not collected or maintained anywhere else.

5. ***If the collection of information has a significant impact on a substantial number of small businesses or other small entities (Item 5 of the Paperwork Reduction Act submission form), describe the methods used to minimize burden.***

This collection of information likely has a significant impact on a substantial number of small businesses, because most GA aircraft operators that will request to operate into and out of DCA would qualify as small businesses. This impact is due to the time needed for a requestor to collect the required information and complete an application, which includes information on individual crewmembers and passengers. However, the collection of information is necessary to enhance the security of aviation and the public and property on the ground. In addition, as mentioned above, TSA has implemented a program to collect all applications electronically, in an effort to reduce the burden on respondents. A hard copy application is available for those respondents with limited access to the Internet.

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.***

If the required information is not collected, TSA will not be able to identify crewmembers and passengers onboard GA aircraft operating into or out of DCA, and thus will not be able to conduct security threat assessments on them. TSA believes that conducting security threat assessments on individuals in aircraft operating in restricted airspace is essential to helping protect against a potential threat to aviation and assets on the ground, especially in those areas that are subject to restricted airspace. Without these security threat assessments, TSA would be unable to process requests for airspace waivers, which would negatively impact the GA community.

Further, if TSA does not collect the required information from ASO applicants, TSA will not be able to identify qualified individuals to serve as ASOs onboard GA aircraft operating into or out of DCA. Consequently, aircraft operators will not be able to implement one of the critical security measures required under the regulation.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5(d)(2).

This information collection is conducted in a manner consistent with the general information guidelines.

8. Describe efforts to consult 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. 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.

TSA has worked with a number of Federal agencies during the development of this rule and information collection, including the FAA.

TSA published an interim final rule in the Federal Register and solicited comment on the rule, which includes the information collection process. TSA published a notice, as required by 5 CFR 1320.8(d), in the Federal Register soliciting comment for purposes of renewing OMB's approval of this information collection. See **73 FR 62304**, dated November 20, 2008. TSA received no comments.

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

TSA does not provide any payment of gift to respondents.

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

TSA does not provide any assurances of confidentiality to respondents.

11. Provide additional justification for any questions of sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

TSA does not ask any questions of a sensitive nature.

12. Provide estimates of hour burden of the collection of information.

Currently, there are 28 FBOs participating in the FBO Security Program and 23 gateway airports. In the year preceding September 11, 2001, approximately 1,900 operators that would be subject to this rule flew into DCA. In that same time period, there were on average 660 flights per week involving these operators. However, the IFR limited the number of airports from which these operators can depart, and the number of takeoff and landing reservations at DCA was limited to 48 per day, so the total number of flights into DCA will continue be lower than the pre-2001 numbers. Accordingly, TSA assumes that the number of aircraft operators that will continue to apply for access to DCA will be significantly less than the number of aircraft operators that operated into and out of DCA prior to September 11, 2001.

Based on participation in the past three years, TSA estimates that approximately 500 aircraft operators will apply for access to DCA annually and thus be required to respond to the information collection requirements. TSA estimates the total number of respondents to be 548 (305 ASOs+215 aircraft operators + 28 FBOs).

For security coordinators, ASOs, and flight crewmembers, the respondents are required to provide the subject information only once for a CHRC. For passengers and crewmembers onboard aircraft operating into or out of DCA, the respondents are required to provide the subject information for a name-based threat assessment for each flight into or out of DCA. Based on participation in the past three years, TSA estimates the total number of responses to be 1,754 per year (215 aircraft operators+645 flight crewmember responses+28 FBO security coordinator responses+305 ASO responses+561 flight authorization responses).

TSA continues to estimate that it will take approximately 1 ½ hours to submit the required information, including fingerprints, for ASOs, flight crewmembers, and security coordinators, and approximately 1 hour for the aircraft operators to submit the required information for flight authorization for each flight into or out of DCA, for a total burden of 1,370 hours per year (548 x 2.5 = 1370)

Note: In order to qualify to fly onboard a GA aircraft flying into or out of DCA, each ASO must undergo 16 hours of training per year. However, because training is not a burden

associated with the information collection, TSA has not included this number in its hour burden analysis.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

Based on participation in the last three years, TSA estimates the total costs to respondents associated with this information collection annually to be \$46,395.24 (\$50,490 for security threat assessment fee + \$56,391.72 for processing the information + \$32,304 for fingerprints and the criminal history records check)/3. Note that the costs for fingerprints and the criminal history records check are a one-time estimate.

Name Check Population and Cost

Round-Trip Flights based on participation in the last three years	Number of Checks = (4 Passengers + 2 Crew Per Flight)	Name Based Check Unit Cost	Total Annual Name Based Check Cost
561	3,366	\$15	\$50,490

Security Coordinators and Paperwork:

Item	Loaded Hourly Rate	Hours	Quantity	Total
Passenger and Crew Manifest and Security Program work based on participation in the last three years	\$50.26	Average 1 hour/Flight	1,122	\$56391.72

Fingerprints and criminal history records check (one-time cost) = \$48
645 Crewmembers and 28 FBOs X \$48 = \$32,304

Out of the total costs outlined above, the aggregate cost burden to ASOs for their initial application is currently estimated at \$19,215 (\$48 to conduct a CHRC + \$15 to conduct a security threat assessment = \$63. \$63 X 305 ASOs = \$19,215) based on participation in the last three years. There continues to be additional costs for processing the background and credit checks that

could add up to an additional \$250 per ASO for a possible total cost burden of \$469,500 (\$63 + \$250 = \$313. \$313 X 305 = \$95,465.) These costs do not include the recurring costs for the security threat assessment that will be required when an ASO flies in or out of DCA. These recurring costs are included in the passenger costs.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, and other expenses that would not have been incurred without this collection of information.

Any initial outlays TSA incurs in the first year will be recovered over five years through the security threat assessment fee (\$15 per person, see question 13 above). Costs over five years are outlined as follows: (See "Fee Summary" section of rule for more detail.)

5-Year Lifecycle Costs

	<i>Program Operating Year</i>					
	Year 1	Year 2	Year 3	Year 4	Year 5	Total
	2005	2006	2007	2008	2009	
<u>Total Number of security threat assessments</u>	1122	1122	1122	1122	1122	5610
<u>Fixed Costs</u>						
Automated Flight Authorization System	\$713,070	\$106,961	\$106,961	\$106,961	\$106,961	\$1,140,914
TSA Interface	\$100,000	\$0	\$0	\$0	\$0	\$100,000
Payment Interface	\$100,000	\$0	\$0	\$0	\$0	\$100,000
System Hosting Set-Up Costs	\$100,000	\$0	\$0	\$0	\$0	\$100,000
Scheduling Staff	\$620,000	\$400,000	\$400,000	\$400,000	\$400,000	\$2,220,000
Total Fixed Costs	\$1,633,070	\$506,961	\$506,961	\$506,961	\$506,961	\$3,660,914
<u>Variable Costs</u>						
Name Checks	2244	2244	2244	2244	2244	11220
Total Costs	\$1,636,436	\$510,327	\$510,327	\$510,327	\$510,327	3,677,744

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

Based on program participation since TSA first submitted this ICR back in 2005, TSA has reduced the annual number of respondents and therefore reduced the annual burden estimates. The original respondents were based on a “very high estimation by the program office at that time. The new numbers represent data collected based on the actual number of operators utilizing the program.

- 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.**

TSA will not publish the results of this information collection.

- 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.**

TSA will display the expiration date as required.

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

TSA is not seeking any exception to the certification statement in Item 19.