INFORMATION COLLECTION SUPPORTING STATEMENT

Repair Station Security

Notice of Proposed Rulemaking

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, the President of the United States signed into law the Vision 100 Century of Aviation Reauthorization Act. One of the provisions of the Act, section 611, requires the Department of Homeland Security (DHS) to ensure the security of foreign and domestic aircraft repair stations.

   The Act requires promulgation of regulations for all repair stations certificated by the Federal Aviation Administration (FAA) under Part 145 of Title 14 Code of Federal Regulations. The Act further requires a security review and audit of the repair stations certificated by the FAA, located outside of the United States. Timelines for these requirements have been set within the legislation. The Transportation Security Administration (TSA), on behalf of DHS, will be conducting the relevant tasks required by the Act, and is publishing a notice of proposed rulemaking (NPRM).

   TSA has determined the best means to ensure the security of aircraft repair stations is to require that FAA certificated repair stations adopt and carry out a standard security program under the proposed 49 CFR Part 1554. There are approximately 4,200 domestic and 700 foreign FAA certificated repair stations.

   In order to set agency priorities for audit activity, it would first be necessary to collect information from each repair station operator. Under the proposed 49 CFR Part 1554, TSA would require that all domestic and foreign repair stations complete and submit to TSA a station profile which would be used to establish inspection priorities. This profile would collect contact information as well as information regarding the characteristics of the repair station. For example, TSA would collect information on the location and number of employees of the repair station to determine which repair stations represent the greatest potential security risk and use that information when establishing agency security audit priorities. Further, repair stations would be required to maintain records for the purpose of providing evidence of compliance with various portions of the security regulations.

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 would use the repair station profile to conduct some risk analysis when determining the priority of repair station security audit activities.   TSA would also use the information by inspecting records and determining compliance with security measures when conducting audits.

Additional identifying data, some of which may already available through various FAA databases, would be collected to enable centralizing and organizing the data for administrative purposes.

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.]*

    TSA would make the station profile available to repair station operators on the TSA web site as a document that can be completed on line, saved, then attached to an email or mailed to TSA. For repair station operators that have limited access to the Internet, TSA would provide its mailing address so that a repair station can both request and return a profile by mail. TSA has already established a dedicated email mailbox for the collection of the station profiles. TSA intends to store this information electronically.

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 has used some available data from the FAA to assist in identifying certificated repair stations, but the FAA data does not maintain all the information necessary to prioritize security audits. The FAA does not collect the specific information that the repair station profiles would collect, with the exception of some of the identifying questions (e.g., name, address, certificate number). However, this identifying information is minimal and is necessary to efficiently sort and administer the information provided.

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.*

    The burden of completion and submission of the repair station profile would be equal to all repair stations regardless of size, but it presents a minimal burden of time and effort for all who must complete it.

    Under the NPRM, sections of the standard security program would apply only to repair stations of certain characteristics, such as location and number of employees with access to aircraft. Generally speaking, more security measures would apply to the operations in close proximity to an airport and with 50 or more employees. Conversely, those repair stations that are not co-located with the airport would have fewer measures with which to comply.

Similarly, TSA's security audit activity would also take into account station characteristics so that inspection resources are dedicated to countering areas of highest risk.

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 repair station profiles are not collected, TSA would have to expend additional resources to obtain the information from the repair station operators. The information is important as it will be used as part of the risk-based assessment of the security posture of each repair station.

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).***

5 CFR 1320.5(d)(2)(iv): Under the NPRM, repair stations would be required to maintain records for evidence of compliance for as long as the repair station maintains its operating certificate, which will often exceed three years from date of publication of the regulation. This is necessary in interest of maintaining aviation security and ongoing TSA oversight.

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 <u>Federal Register</u> 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 published a notice inviting parties affected (air carriers, airports, repair station operators, and other stakeholders) to a public hearing in the Federal Register on February 24, 2004 (69 FR 8357). TSA sought comments regarding current existing security measures and the minimum security standards that should be in place to prevent unauthorized access, tampering and other security breeches, and past security breaches.

Twelve parties spoke at the hearing and 21 comments were received. The majority of comments supported the need for security regulations and the need to tailor the regulations to reflect the particular characteristics of a repair station. Some comments offered recommendations to include access controls, personnel identification, employee background checks and security awareness training in the regulations. TSA conducted site visits to various repair station locations to gather information regarding repair station operations. TSA also consulted with FAA safety inspectors and repair station officials in preparing its proposed regulations.

TSA will provide notice of this information collection in its NPRM and address any comments on the information collection as necessary.

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

There will be no payment provided to the respondents

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

TSA will not provide any assurances of confidentiality. The information that would be collected on the repair station profiles is neither confidential nor SSI.

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 will not pose questions of a sensitive nature.

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

The respondents to this proposed information collection would be the owners/operators of repair stations certificated by the FAA under 14 CFR Part 145. TSA estimates approximately 5,424 repair stations would be subject to the information collection over the three years of the Paperwork Reduction Act analysis. Each of the respondents would complete and submit a repair station profile and develop and implement a security program. A repair station would do this either by adopting the template security program issued by TSA or developing its own. The security program would be amended either by the repair station or TSA, but this would primarily occur on an individual basis as needed. TSA estimates this collection would result in 1,808 annual responses for an average total of 13,817 hours annually. This number refers to the security programs and profiles, not the total (security programs and profiles along with records maintenance).

TSA would require different security requirements based on certain repair station characteristics. The primary distinction would be between those repair stations that are located on or adjacent to an airport and those that are not. TSA has estimated it would take longer for a repair station located on an airport to read and develop its security program than a repair station not located at an airport. TSA also anticipates that it would take longer for repair stations located in foreign countries to complete their security programs than it would for domestic repair stations due to considerations such as the potential need to translate the security programs or to consult an attorney in order to identify any conflicts between the proposed security requirements and local laws and regulations. TSA estimates the time necessary to complete the profile to be minimal and that all repair stations would require approximately the same amount of time. Taking these factors into consideration, TSA has subdivided the respondent repair station population into four subpopulations. TSA also

estimates each annual respondent (1,808) will spend five minutes (.083 hours) a year on records maintenance in order for TSA to conduct inspections, for a total average annual time burden of 151 hours. The following table presents the respondent subpopulations as well as their hour burden estimates.

Table 1: Respondents and Quantified Annual Hour Burden
(5,424 Unique Respondents)

Information Collection	Average Annual Number of Responses	Frequency	Hours per Collection	Total Average Annual Hour Burden
Security Programs & Profiles	**1,808**	**Once**	**N/A**	**13, 817**
Domestic, On Airport	*785*		*8.0*	*6,277*
Domestic, Off Airport	*762*		*4.0*	*3,048*
Foreign, On Airport	*113*		*24.0*	*2,712*
Foreign, Off Airport	*148*		*12.0*	*1,780*
Records Maintenance	**1,808**	**Annually**	**.083**	**151**
Domestic, On Airport	*785*		*.083*	*65*
Domestic, Off Airport	*762*		*.083*	*63*
Foreign, On Airport	*113*		*.083*	*9*
Foreign, Off Airport	*148*		*.083*	*12*
Total				**13,968**

Repair stations would be required to submit an updated station profile if changes to their operations result in changes to their overall risk profile. This would occur only in limited circumstances such as relocation of the repair station, receipt or loss of authorization to perform work on aircraft over 12,500 pounds, substantial expansion of operations, etc. TSA is unable to estimate how frequently such changes occur within the industry and has not estimated an hour burden associated with these profile updates.

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

TSA anticipates most of these transactions would occur electronically; however, TSA has estimated a cost of $25 per repair station to cover costs such as photocopying and mailing related to the submission of the station's security program and records maintenance . When multiplied by the 1,808 average annual responses reported in the response to Question 12, this results in an average annual cost of $45,200. The following table presents the respondent subpopulations as well as their cost burden estimates.

Table 2: Respondents and Quantified Annual Cost Burden
(5,424 Unique Respondents)

Information Collection	Average Annual Number of Responses	Frequency	Cost per Collection ($)	Total Average Annual Cost Burden
Records Maintenance		**Annually**		
Domestic, On Airport	*785*		*25*	*$19,625*
Domestic, Off Airport	*762*		*25*	*$19,050*
Foreign, On Airport	*113*		*25*	*$2,825*
Foreign, Off Airport	*148*		*25*	*$3,700*
Total	*1,808*			*$45,200*

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.

The Federal government would incur estimated annualized costs of approximately $51,410. TSA arrived at this total by estimating 0.5 hours needed to review, process, and respond to repair station profiles and multiplying this number by the pay rate (to include benefits) of a TSA I-band employee, which is approximately $56.87 per hour.

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

This is a new collection, so this item does not apply.

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 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 is not seeking such approval.

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 exceptions to the certification requirement.