

INFORMATION COLLECTION SUPPORTING STATEMENT

Law Enforcement Officer (LEO) Reimbursement Request 1652-0063

- 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).***

Pursuant to 49 U.S.C. §§ 44901, 44903, and 44917, TSA has authority to prescribe regulations to protect passengers and property on an aircraft operating in air transportation or intrastate air transportation against an act of criminal violence or aircraft piracy. In addition, TSA has authority to enter into Other Transaction Agreements (OTA) pursuant to 49 U.S.C. § 106(l)(6). Consistent with this authority, TSA enters into OTAs with individual airport operators and requires that airport authorities seeking reimbursement for law enforcement officers (LEOs) engaged in law enforcement activity in support of airport TSA screening activities submit requests for reimbursement that are verifiable, quantifiable, and facilitate the orderly retrieval of information to protect against fraud, waste, and abuse of federal funds.

The LEO Reimbursement Program provides to U.S. commercial airports partial reimbursement of the costs associated with providing law enforcement support of TSA screening activities. Participation in the LEO Reimbursement program is voluntary. However, if airports wish to participate and be reimbursed for law enforcement services, they must provide the information requested. Airport owners/operators must apply for funding by responding to a combined synopsis/solicitation.

As part of their request for partial reimbursement, airport owner/operators are required to submit, via a Reimbursement Request-Invoice form, their personal contact information, the number of hours spent in law enforcement-related support of TSA screening activities requested for reimbursement, and certification that the number of hours for which reimbursement is requested is truthfully and accurately reported.

- 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 will use the information collected to provide partial reimbursement of costs incurred to provide law enforcement support of TSA screening activities.

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 provides the Reimbursement Request-Invoice form along with the OTA via email to participating airport owners/operators. The form is entirely fillable electronically. In compliance with GPEA, participating airport owners/operators have the option to complete the form and submit via email with electronic signature to the respective airport Federal Security Director (FSD). They also may complete the form, print to add physical signature, scan and submit via email to the respective FSD.

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 cannot obtain the information needed to complete a request for reimbursement from any other source. There is no similar information already available that TSA can use for the purpose described in Item 2 above.

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 does not have a significant impact on a substantial number of small businesses. Eligibility to participate in the program is limited to U.S. commercial airport owners/operators and/or State, local, or other public institutions/organizations responsible for commercial airport operations.

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 this collection is not conducted, TSA will not be able to adequately reimburse entities for costs incurred in providing law enforcement support of TSA screening activities, or provide for the appropriate release of federal funds.

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 collection will be conducted in accordance with collection guidelines in 5 CFR 1320.5(d)(2).

- 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 published a 60-day notice in the Federal Register on July 6, 2015, (80 FR 38454), and a 30-day notice on September 22, 2015, (80 FR 57201). 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 or gift to respondents.

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

No assurance of confidentiality is provided to respondents. The Privacy Act of 1974, 5 U.S.C. § 552a does not apply to this collection.

- 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 collect information of a sensitive nature in this collection.

- 12. Provide estimates of hour and cost burden of the collection of information.**

TSA estimates that the average annual number of responses to the requirements of the LEO Reimbursement Program is 3,912. TSA also estimates that the total annual hour burden incurred by the airport owner/operators is approximately 3,912 hours, resulting in annual hour cost burden of \$327,004. The detailed information on these estimates is shown below.

Annual Hour and Cost Burden Estimates:

The annual hour burden is based on an estimate of approximately 326 respondent airports each month, at approximately one hour per respondent per response. (The one hour accounts for the section of the form that asks respondents to provide an explanation for items on the form that respondents are unable to certify and the completion of the section which details the daily activities performed.) Due to the varying size of commercial airports and the number of LEOs required (some airports may have 200 LEOs assigned whereas others may have only 2) some respondents may require less time to provide the information, while others may require more. TSA assumes that General and Operation Managers complete and submit

the Reimbursement Request-Invoice Form to TSA. TSA uses General and Operation Managers' fully loaded hourly average wage rate of \$83.59.¹

Hour burden = 326 respondents x 12 responses per year x 1 hour = 3,912 hours per year
 Hour burden cost = 3,912 hours per year x \$83.59 = \$327,004 per year

Table 1: Summary of Information Collection Annual Hour and Cost Burdens

Number of Respondents (a)	Number of Responses per Year (b)	Hour Burden per Response (c)	Total Annual Hour Burden (d = a x b)	Total Cost Burden (e = d x \$83.59)
326	12	1	3,912	\$327,004

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

There is no cost associated with this collection as the information may be submitted electronically.

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.

TSA estimates that the total annual cost incurred by the Federal Government is \$23,951. The detailed information on this estimate is shown below.

Annual Cost Burden Estimate:

TAS assumes that the 3,912 requests for reimbursement – are processed by F band employees whose fully loaded hourly average wage rate is \$24.49² and each Reimbursement-Request Invoice takes 15 minutes (0.25 hours) to process.

Government cost = 3,912 requests per year x 0.25 hour x \$24.49 = \$23,951 per year.

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

There are no program changes or adjustments reported.

¹Fully loaded hourly average wage rate \$83.59 = hourly average wage \$54.35 x compensation factor 1.538. Source-hourly average wage: BLS, May 2014 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 488100 – Support Activities for Air Transportation, 11-1021 General and Operations Managers. http://www.bls.gov/oes/current/naics4_488100.htm. Accessed on October 26, 2015.

Source-compensation factor: BLS Economic News Release March 2015 Employer Costs for Employee Compensation Summary Table 11 for All Full Time Workers Transportation and material moving. 1.538 = \$30.96 in total compensation ÷ \$20.15 in wages and salaries. <http://www.bls.gov/news.release/pdf/ecec.pdf>. Accessed on October 26, 2015.

² Source: TSA modular cost standards for FY2016.

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.

The results of this collection will not be published.

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.

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 such exception.