

INFORMATION COLLECTION SUPPORTING STATEMENT

Aircraft Repair Station Security

OMB Control Number 1652-0060

Exp. 12/31/2015

- 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. Section 611 of the Act, as codified at 49 U.S.C. 44924, requires the Department of Homeland Security (DHS) to ensure the security of aircraft repair stations.¹

The statute further requires a security review and audit of foreign repair stations certificated by the Federal Aviation Administration (FAA). The Transportation Security Administration (TSA), on behalf of DHS conducts the relevant tasks associated with this legislation. TSA published a final rule setting forth the new requirements on January 2014. See 79 FR 2120 (Jan. 13, 2014), codified at 49 CFR part 1554.

Under TSA's regulations, all repair stations (except for a repair station certificated by the FAA under 49 CFR part 145 as located on a U.S. or foreign Government military installation) are required to provide TSA access to the records and facilities necessary for TSA to conduct security inspections. (See 49 CFR 1554.3). They must also comply with security directives if issued by TSA, which could include requirements to maintain additional records or provide information to TSA. TSA may issue an SD when TSA determines that additional security measures are necessary to respond to specific threat or intelligence information. Repair stations must adopt each SD issued by TSA within the timeframe established by the SD. TSA will determine compliance with the requirements of an SD, which may include recordkeeping requirements, when conducting inspections.

Aircraft repair stations located on or adjacent to an airport² are also required to implement security measures to prevent the unauthorized operation of large aircraft capable of flight that are left unattended and designate an individual to be the TSA point of contact and be responsible for compliance. These repair stations will also be required to maintain employment history records if used as the means to verify employee background information.

¹ To maintain consistency with FAA terminology, TSA will refer to domestic repair stations as repair stations within the U.S., and will refer to foreign repair stations as repair stations outside within the U.S.

² TSA will consider a repair station to be "on airport" if it is on an air operations area or security identification display area of an airport covered by an airport security program under 49 CFR part 1542 in the U.S., or on the security restricted area of any commensurate airport outside the U.S. regulated by a government entity. TSA will consider a repair station to be adjacent to an airport if there is an access point between the repair station and the airport of sufficient size to allow the movement of large aircraft between the repair station and the area described as "on airport." TSA has determined that these repair stations pose the highest risk to security due to their proximity to an airport and runways and the presence of operational aircraft of a size and weight that could inflict significant damage and loss of life.

As a general practice, TSA does not intend to conduct regular inspections of repair stations not located on or adjacent to an airport except as necessary to comply with the requirement in 49 U.S.C. 44924 to conduct a security audit of all covered repair stations located outside the U.S. for the purpose of evaluating security risks as conditions warrant, and, in the event that TSA issues a Security Directive (SD) to such a repair station, for compliance with the SD. As required by the statute TSA has completed a security review and audit of 707 repair stations outside the U.S. There is no further requirement in the regulations to perform these audits. See OMB control number 1652-0060 Aircraft Repair Station Security and 49 U.S.C. 44924(a).

TSA conducts the following information collections:

- (1) **Recordkeeping.** Under 49 CFR § 1554.3, repair stations that verify employee background information using employment history will be required to maintain employment history records and other records to demonstrate compliance with the security measures and directives, and make the records available for inspection by TSA upon request.
 - (2) **Petition for Reconsideration.** TSA has established procedures for a repair station operator or owner to request reconsideration of a determination that its certificate must be suspended or revoked. The petition must be in writing, in English, signed by the repair station operator or owner, and follow the procedures in 49 CFR § 1554.201 and § 1554.203.
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.***

As necessary to ensure compliance with 49 CFR part 1554, TSA will review the employment history records and other records related to security directives.

The TSA Administrator will review information submitted as part of a petition for reconsideration of a determination that a repair station certificate must be suspended or revoked before issuing a final agency order. The TSA Administrator will either direct the TSA-designated official to notify FAA and the repair station that the determination is rescinded and the certificate may be reinstated or affirm the determination.

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.]***

This collection of information is in compliance with the Government Paperwork Elimination Act (GPEA - Pub. L. 105-277) in that TSA will allow transmission of all documents via email, ars@tsa.dhs.gov (U. S.), frs@tsa.dhs.gov (outside the U.S.) or fax, 703-603-4044, and retention of all records to be conducted 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.**

The requirement to implement security measures, comply with TSA security directives, and maintain employment history records is an entirely new requirement for certain repair stations, effective January 13, 2014. Therefore, this collection is not a duplication of existing federal requirements.

- 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 does not have a significant impact on a substantial number of small businesses or other small entities.

- 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.**

TSA will not be able to meet its obligations under the Vision 100—Century of Aviation Reauthorization Act, as codified at 49 U.S.C. 44924, if the information described in this Supporting Statement is not collected.

- 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).**

None of the requirements are inconsistent with the guidelines in 5 CFR 1320.5.

- 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 respectively published two Federal Register notices, with a 60-day and a 30-day comment period, soliciting comments on this information collection request. See 80 FR 52777 (Sept. 1, 2015) and 80 FR 72982 (Nov. 23, 2015). The agency did not receive any comments on the collection of information.

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

TSA will not provide any payment or gifts to respondents for this information collection.

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

Although TSA will not provide any assurances of confidentiality to respondents, information collected that is determined by TSA to be Sensitive Security Information in accordance with 49 CFR Part 1520 will be protected as such.

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.

This information collection does not involve any questions of a sensitive nature.

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

In this justification, TSA describes the respondent population and then presents a summary of each of the information collections covered by this ICR.

Information Collections

Repair stations are responsible for maintaining updated employment history records and other records to demonstrate compliance with the regulatory requirements and security directives issued by TSA. These records must be made available to TSA upon request. Additionally, a repair station operator or owner may appeal a determination by TSA that FAA must suspend or revoke its certificate.

The respondents to this information collection are the owners and/or operators of repair stations certificated by the FAA under 14 CFR part 145. To estimate the burden for domestic and foreign aircraft repair stations, TSA multiplies the fully-loaded wage rate of the industry employee responsible for their respective information collection activity by the time it takes to meet the compliance requirements. TSA uses the fully loaded wage rate of \$28.35³ for a human resource assistant and the fully loaded hourly wage rate for a first-line supervisor of mechanics, installers, and repairers of \$49.77.⁴

³ Fully loaded hourly average wage rate \$28.35 = hourly average wage \$18.46 x compensation factor 1.536. Source-hourly average wage: BLS, May 2014 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 488100 – Support Activities for Air Transportation, 43-4161 Human Resource Assistants, Except Payroll and Timekeeping. http://stats.bls.gov/oes/2014/may/naics4_488100.htm Accessed on October 9, 2015. Source-compensation factor: BLS Economic News Release March 2015 Employer Costs for Employee Compensation Summary Table 11 for All full time workers in private industry for Transportation and material moving. $1.536 = \$30.96 \text{ in total compensation} \div \$20.15 \text{ in wages and salaries}$. <http://www.bls.gov/news.release/pdf/ecec.pdf>. Accessed on October 9, 2015.

⁴ Fully loaded hourly average wage rate \$49.77 = hourly average wage \$32.40 x compensation factor 1.536. Source-hourly average wage: BLS, May 2014 National Industry-Specific Occupational Employment and Wage Estimates, NAICS 488100 – Support Activities for Air Transportation, 49-1011 First-Line Supervisors of Mechanics, Installers, and Repairers. http://stats.bls.gov/oes/2014/may/naics4_488100.htm Accessed on October 9, 2015. Source-compensation factor: BLS Economic News Release March 2015 Employer Costs for Employee

Recordkeeping

Under 49 CFR 1544.3, repair stations that verify employee background information using employment history will be required to maintain employment history records and other records to demonstrate compliance with the security measures and directives, and make the records available for inspection by TSA upon request. Aircraft repair stations incur an opportunity cost to store employee history records.

TSA estimates that it takes .025 hours to maintain these records and make them available for inspection upon request. TSA continues to use the assumption from the final rule that there will be five new point of contacts submitting information and require recordkeeping annually within United States and another 5 outside the United States. The total annual cost burden for aircraft repair stations within and outside the United States is estimated by multiplying the hour burden by the annual number of respondents by the fully loaded wage rate of \$28.35 for a human resource assistant is \$7.08 (.025 hours x 10 respondents x \$28.35).

Petition for Reconsideration

Under 49 CFR 1554.201 and 1554.203, a repair station operator or owner may request reconsideration of a determination that its certificate must be suspended or revoked. The petition must be in writing, in English, and signed by the repair station operator or owner. TSA estimates that, on an average annual basis, one repair station within the United States and nine outside the United States will undergo the suspension and revocation process.

TSA estimates that it takes a first-line supervisor in a repair station within the United States 10 hours to fill out a petition and send it to TSA. TSA calculates an annual cost and hour burden for domestic repair station revocations at \$497.70 (10 hours x \$49.77 x 1 repair station). TSA estimates that it takes a first-line supervisor in a repair station outside the United States 12 hours to fill out a petition and send it to TSA. TSA calculates an annual hour and cost burden for foreign repair station revocations at \$5,375.16 (12 hours x \$49.77 x 9 repair stations).

Summary

TSA estimates a total yearly average hour burden of 118 hours at a cost of \$5,880.19. The following table shows the estimate hour and cost burden by domestic and foreign aircraft repair stations as a result of the information collections described above.

Table 2: Information Collection and Hour burden Summary

Information Collection	Average Annual Responses (a)	Hour Burden per response (b)	Total Annual Hour Burden (c) = (a x b)	Full-Loaded Wage Rate (d)	Total Annual Cost burden (e) = (c x d)

Compensation Summary Table 11 for All full time workers in private industry for Transportation and material moving. 1.536 = \$30.96 in total compensation ÷ \$20.15 in wages and salaries.
<http://www.bls.gov/news.release/pdf/ecec.pdf>. Accessed on October 9, 2015.

<i>Recordkeeping</i>					
On-Airport RS outside the United States Record Filing	5	0.025	0.125	\$28.35	\$3.54
On-Airport RS within the United States Record Filing	5	0.025	.125	\$28.35	\$3.54
<i>Suspension/Revocation</i>					
On-Airport RS within the United States	1	10	10	\$49.77	\$497.70
On-Airport RS outside the United States	9	12	108		\$5,375.16
Total	20		118.25		\$5,880.19

13. Provide an estimate of annualized capital and start-up costs.

There are no start-up costs associated with the information collection. Further, the cost analysis for this information collection does not take into account recordkeeping costs, because prior to TSA requiring recordkeeping of employment history records for Aircraft Repair Stations, the requirement of recordkeeping was already practiced industry-wide as a normal course of conducting business. As such, the recordkeeping requirement does not pose an additional burden costs to Aircraft Repair Stations or at most a de minimis cost.

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.

As previously discussed, 49 CFR part 1554 requires TSA to verify information maintained by the respondents. The Federal government will incur costs to review employment history records which will occur when TSA performs live inspections.

To estimate the yearly hour and cost burden to the Federal government, TSA multiplies the wage rate for a TSA Transportation Security Inspector (TSI) by the average hourly time it takes for a respective information collection activity to ensure compliance with the regulation as described previously. TSA used salary data collected from the Office of Financial Management to create an average fully loaded wage based on I and J band inspectors; \$58.89 for TSA domestic inspectors and \$55.35 for TSA foreign inspectors.

Inspections

The Federal government is responsible for conducting live inspections and validating that repair stations store the employment records of their security point of contact among other requirements. TSA expects to conduct 434 comprehensive and 442 targeted inspections at domestic repair stations in the next three years. This averages to 144.67 and 147.33 comprehensive and targeted inspections to occur annually. TSA estimates it takes one hour to perform a comprehensive inspection and 0.5 hours to perform a targeted inspection. TSA calculates an annual cost burden for domestic repair station inspections at \$12857.75 ((1 hour x \$58.89 x 144.67 = \$8,519.62 comprehensive inspections) + (0.5 hours x \$58.89 x 147.33 = 4338.13 targeted inspections)).

TSA expects to conduct 231 live inspections at foreign repair stations in the next three years. This averages to 77 live inspections to occur annually. TSA estimates it takes one hour to perform a live inspection. TSA calculates an annual cost burden for foreign repair station inspections at \$4,261.95 (1 hour x \$55.35 x 77 repair stations).

Summary

TSA estimates a total yearly average hour burden of 295 hours to the federal government at a cost of \$17,119.70. The following table shows the estimate hour and cost burden to TSA as a result of the information collections described above.

Table 3: Total Estimated Annual Cost to TSA

Information Collection	Average Annual Inspections (a)	Hour Burden per response (b)	Total Annual Hour Burden (c) = (a) x (b)	Fully-Loaded Wage Rate (d)	Total Annual Cost Burden (e) = (c) x (d)
<i>Inspections</i>					
Comprehensive Inspections for RS within the United States	144.67	1	144.67	\$58.89	\$8,519.62
Targeted Inspections for RS within the United States	147.33	0.5	73.67	\$58.89	\$4,338.13
Live Inspections for RS outside the United States	77	1	77	\$55.35	\$4,261.95
Total	369		295		\$17,119.70

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

TSA has adjusted its burden estimates because TSA is no longer collecting information via paper and desk audits. TSA has completed a security review and audit of 707 repair stations outside the U.S., and thus complied with the statute. TSA regulations do not require that these audits continue. Thus, TSA has reduced its burden estimates, because it is able to obtain information for the repair stations outside the U.S. through a memorandum of understanding with the FAA.

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.

This information collection will not be published for statistical purposes.

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 OMB number and 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 exceptions to the certification requirement.