

---

## **INFORMATION COLLECTION SUPPORTING STATEMENT**

**Office of Law Enforcement/Federal Air Marshal Service Mental Health Certification**  
**OMB Control Number 1652-0043**  
**Exp: 3/31/2016**

- 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, provide for deployment of Federal Air Marshals (FAMs) on passenger flights, and provide for appropriate training, supervision, and equipment of FAMs. In furtherance of this authority, TSA policy requires that applicants for FAM positions meet established medical standards that include a psychological assessment to establish that the individual does not have a medical history or clinical diagnosis of psychosis, neurosis, or any other personality or mental disorder that clearly demonstrates a potential hazard to the performance of FAM duties or the safety of self or others.

As part of the psychological assessment applicants are required to complete a mental health certification regarding their mental history and provide an explanation for anything they cannot certify. Applicants are asked if they have ever been removed from work for medical or psychological reasons, and certify other mental health-related statements. Applicants are instructed to submit this form directly to the FAMS Medical Programs Section for initial screening via fax, mail, or in person. Any explanations received generally require further review and follow-up with a personal psychologist or psychiatrist. The certification is carefully geared to capitalize on other elements of the assessment process, such as personal interviews, physical task assessment, background investigation, as well as the other components of the medical examination and assessment.

- 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 from FAM applicants is used by TSA medical/psychological clinicians to determine if the applicant for a FAM position meets medical requirements.

- 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 transmits the form to OLE/FAMS applicants by email. Applicants are required to provide their original signature to this form and have the option of submitting it by means of a scanned document sent to the OLE/FAMS Medical Programs Section by email or in-person during the time of the applicant's medical screening appointment.

- 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.**

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.

- 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 mental health-related information is not collected, TSA will be prevented from adequately assessing the suitability of applicants for FAM positions.

- 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).**

Collecting FAM applicants' mental health-related information within 10 days of receipt enables the OLE/FAMS Medical Programs Section to review, respond or request additional information if necessary in a timely manner. Applicants can then move on to the next phase of the hiring process without having to experience prolonged waiting periods.

- 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 October 26, 2015, announcing TSA's intent to renew this information collection request. See 80 FR 65237. TSA also published a 30-day notice for the information collection. See 81 FR 944 (January 8, 2016). TSA received no comments in response to these notices.

- 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.**

The confidentiality and privacy of this information will be maintained in accordance with the Privacy Act of 1974, 5 U.S.C. 552a. The form includes a Privacy Act Statement citing 49 U.S.C. § 114(n), 14 C.F.R. Part 67, E.O. 9397 (Social Security Number). The applicable System of Records Notices are OPM/GOVT-10 System, Employee Medical File of Records of TSO and DHS/TSA—001, Transportation Security Enforcement Record System. See 71 FR 35360 (June 19, 2006) and 75 FR 28042 (May 19, 2010) respectively.

- 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.**

Some questions included in the Mental Health Certification may be considered to be of a sensitive nature. However, TSA engaged a law enforcement forensic psychologist to draft these questions in order to replicate questions customarily asked during interviews for law enforcement positions. The questions have been tailored specifically for the FAM position, in keeping with the public safety role of this job.

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

TSA estimates the total annual hour burden for this collection is approximately 600 hours. The hour burden is based on an estimate of approximately 600 respondents annually. TSA has estimated that the time necessary to provide explanations for items respondents are

unable to certify will not exceed one hour. Please note the hour burden per respondent may be an overestimate, as a percentage of respondents do not need to provide any explanations; the response time for this portion of respondents should not exceed 15 minutes.<sup>1</sup>

TSA uses the fully loaded hourly FAM wage rate, including total compensation and benefits, as proxy for estimating the opportunity cost of time for applicants.<sup>2</sup> Based on the fully loaded hourly FAM wage rate multiplied by one hour per response and the number of respondents, TSA estimates an annual opportunity cost burden of \$40,848 (600 x 1 hour x \$68.08).

Table 1: Annual Cost of Time Burden for Applicants (Respondents)

Number of Respondents	Number of Responses per Respondent	Average Burden per Response (in hours)	Total Annual Burden (in hours)	Average Hourly Wage Rate	Total Annual Respondent Cost
600	1	1	600	\$68.08	\$40,848

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

Based on past experience with FAM applicant submissions, TSA assumes that the forms will be submitted either electronically or in-person during the time of the applicant's medical screening appointment. Therefore, TSA does not estimate annualized capital and start-up costs, such as postage 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.**

The costs to TSA as a result of this collection of information include the hourly cost of an OLE/FAMS certified occupational health nurse to review the forms and request follow up information from those who are unable to certify one or more questions on the form. Reviewing each form takes approximately 5 minutes (0.0833 hours).<sup>3</sup> To estimate the hourly opportunity cost for TSA review, TSA uses the fully loaded hourly wage rate, \$63.50<sup>4</sup>. Based

<sup>1</sup> TSA does not track the data to support an estimate of the percentage of applications that do not require further explanations.

<sup>2</sup>The fully loaded annual salary of a TSA FAM is \$141,599 including compensation and benefits. TSA divides the fully loaded annual salary by 2,080 hours to estimate an hourly opportunity cost of \$68.08 (\$141,599/2,080).

<sup>3</sup> Some reviews may require a follow-up, which would increase the time burden. TSA does not have an estimate for the number of reviews that would require a follow-up, but it is estimated to be less than 1 percent of all reviews.

<sup>4</sup>To estimate I-band hourly wages, TSA divides the loaded annual I-band wage rate of \$127,506, including compensation and benefits, by 2,080 hours to obtain an hourly I-band wage of \$61.30. To estimate I-band hourly wages, TSA divides the loaded annual J-band wage rate of \$150,370, including compensation and benefits, by 2,080 hours to obtain an hourly I-band wage of \$72.29. TSA estimates the loaded hourly wage rate based on the weighted average hourly wage of four I-band nurses and one J-band nurse, of \$63.50.

upon fiscal year 2014, TSA projects 600 forms will be reviewed. TSA assumes, that the total cost to TSA as a result of this collection is approximately \$3,175 annually.

Table 2: Annual Cost of Time Burden for Applicants (Respondents)

Number of Respondents	Number of Responses per Respondent	Average Burden per Response (in hours)	Total Annual Burden (in hours)	Average Hourly Wage Rate	Total Annual Respondent Cost
600	1	0.0833	600	\$63.50	\$3,175

**15. Explain the reasons for any program changes or adjustments reported in Items 12, 13 or 14 of the OMB Form 83-I.**

There are no changes to the information being collected. The change noted in Item 13 includes the removal of costs associated with mailing the document. TSA revised the estimated cost to the federal government reported in Item 14 based on an update to the TSA wage rate and the number of respondents.

**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 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.