

# **INFORMATION COLLECTION SUPPORTING STATEMENT**

**Certified Cargo Screening Program  
OMB Control Number 1652-0053  
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).**

Section 1602 of The Implementing Recommendations of the 9/11 Commission Act of 2007 (Pub.L. 110-53) (August 2007) (9/11 Act) required the development of a system to screen 50 percent of cargo transported on passenger aircraft not later than February 2009, and 100 percent of such cargo no later than August 2010. TSA issued an interim final rule (IFR) on September 16, 2009, 74 FR 47672, amending part 49 of the Code of Federal Regulations (CFR), to implement this statutory requirement. The IFR amended Parts 1515, 1520, 1540, 1544, 1546, and 1548 and added Part 1549. Under the IFR, TSA certified qualified facilities as Certified Cargo Screening Facilities (CCSF) to screen cargo as part of the Certified Cargo Screening Program (CCSP). CCSFs may screen cargo off-airport and must implement measures to ensure a secure chain of custody from the point of screening to the point at which the cargo is tendered to the aircraft operator. CCSFs are required to engage TSA to assess whether a person or entity meets the standards of their security program.

In order to comply with the statutory mandate and to begin building the CCSP, TSA developed the CCSP Pilot. The CCSP Pilot allowed shippers, indirect air carriers (IACs), and other entities to participate voluntarily in a program in which TSA certified qualified entities to screen air cargo off-airport before it is tendered to air carriers for transport on passenger aircraft. TSA submitted a separate ICR and received approval for the collections of information under the pilot (see OMB number 1652-0052). The CCSP Pilot ICR has since expired and portions of its components are incorporated into this ICR, which covers the following collections from entities seeking to participate in a voluntary program to become CCSFs:

- (1) CCSF Applications.** Applications to become a CCSF.
- (2) STA Applications.** Applications from individuals that include personal information so that individuals with access to cargo may undergo Security Threat Assessments (STAs).
- (3) Recordkeeping.** Recordkeeping requirements including maintaining cargo and other security-related records.
- (4) Cargo Reporting.** Cargo reporting requirements.

Several of these collections are continuing now that the final rule is in effect, and are identified as part of this ICR.

In this ICR, TSA is including the following information collections:

(1) **CCSF Applications.** Require initial applications, changes to information in the application, and re-application every 36 months, for any CCSF.

(2) **STA Applications.** Require the appropriate personnel at each CCSF—those authorized to perform screening functions, their supervisors, and other personnel that support these functions—to submit information so that TSA may perform STAs. TSA has been conducting STAs on a similar population under OMB control number 1652-0040, but this ICR expands the population from which the information is collected.

(3) **Security Programs.** Require CCSFs to accept a standard security program provided by TSA or submit a proposed modified security program to the designated TSA official for approval initially and periodically thereafter as required.

(4) **Recordkeeping.** Require CCSFs to maintain records of compliance with the IFR and make them available for TSA inspection (49 CFR 1549.105).

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.***

**Requirements Included in This Information Collection Request (ICR):**

(1) **CCSF Applications.** Require applications for approval to operate as a CCSF. Under TSA regulations, an applicant is required to submit an application to become a CCSF at least 90 days before the intended date of operation, the contents of which are contained in 49 CFR 1549.7. In addition, once certified as a CCSF, the CCSF is required to submit any changes to the application information as they occur. CCSFs must renew their certification every 36 months by submitting a new complete application. CCSF applicants are required to provide TSA access to their records, equipment, and facilities necessary for TSA to conduct an eligibility assessment. See TSA forms 419 B, D, and E (49 CFR 1549.7).

(2) **STA Applications.** TSA regulations require that CCSF applicants ensure that individuals performing screening and related functions, their supervisors, and people supporting these functions successfully have completed an STA conducted by TSA. In addition, TSA regulations require CCSF Security Coordinators and their alternates to successfully have completed an STA. TSA regulations further require these individuals to submit information to TSA so that TSA can perform the STAs. See TSA Form 419F, previously approved under OMB control number 1652-0040 (49 CFR 1549.111, and 1549.103).

(3) **Security Programs.** Require CCSFs to accept and implement a standard security program provided by TSA or submit a proposed modified security program to the designated TSA official for approval.

(5) **Recordkeeping.** Require CCSFs to maintain records of compliance with the new and amended TSA regulations and make them available for TSA inspection (49 CFR 1549.105).

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.***

CCSF applicants have the latitude and flexibility to maintain the required information in a manner that best meets their particular needs, including maintaining the information electronically. CCSF applicants submit applications and related information required under the TSA regulations electronically through email. TSA also accepts paper applications by mail. TSA has systems in place to serve as repositories of information on the facilities participating in the CCSP to support the application process, including the STA application and review processes. Individuals submit information required for TSA to conduct STAs via a web-based tool. For those respondents without the resources or desire to submit information electronically, TSA will continue to work with entities to ensure methods are in place to submit and/or maintain the required information in a manner that best meets their needs.

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.***

In lieu of an STA application, TSA may accept the following: a current Hazardous Materials Endorsement (HME) identified in 49 CFR Part 1572 evidenced by a State-issued commercial driver's license (CDL) with hazardous materials endorsement; a current Transportation Worker Identification Credential (TWIC) in accordance with a TSA regulations on Transportation Worker Identification Credential Implementation in the Maritime Sector; a current FAST card issued by the U.S. Customs and Border Protection under the Free and Secure Trade Program; a criminal history records check that included a name-based check; or, another STA determined by TSA to be comparable to the STA specified in the regulations.

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 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.***

The CCSP provides a process through specified programs for the air cargo industry to meet the congressionally mandated requirement to screen 100% of all air cargo. TSA must create programs to ensure methods of screening 100% of air cargo remain in place. If this information collection is not conducted, the air cargo industry may not be able to screen

100% of cargo transported on aircraft without significant delays, which may have a negative effect on commerce.

**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).**

CCSFs are required to submit any changes to their initial application as they occur, which may be more frequently than quarterly.

Under TSA regulations, for individuals required to undergo an STA (for example, an individual authorized to perform screening functions), TSA notifies the individual's employer in writing that it has served a Determination of No Security Threat, a Final Determination of Threat Assessment, or a Withdrawal of Final Determination of Threat Assessment, as applicable, to the individual. In the interest of transportation security, the employers are required to retain this notification for 180 days after the employee has separated from the company.

The following records must also be retained for 180 days after the individual is no longer employed by the CCSF or is no longer acting as the facility's agent:

(1) Records of all training and instruction given to each individual under the requirements of 49 CFR Part 1549, subpart B.

(2) Records demonstrating that each individual has complied with the STA provisions of 49 CFR 1549.111.

The following records must be retained until the next re-certification or until instructed by TSA to retain the records for a longer period, which may be longer than three years:

(1) Copies of all applications for approval, or renewal of approval, by TSA to operate as a CCSF under 49 CFR Part 1549.

(2) Copies of TSA's approval and renewals of approval as required by 49 CFR Part 1549.

Otherwise, the collection is conducted in accordance with 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 promulgated the regulation associated with these collections after extensive consultation with industry through its Aviation Security Advisory Committee, and with other Federal agencies, including the U.S. Department of Transportation and the U.S. Customs and Border

Protection. Frequent outreach and consultation with industry trade groups and representatives continues. TSA published a 60-day Paperwork Reduction Act notice in the Federal Register on November 30, 2015 (80 FR 74786), and published a 30-day notice on February 8, 2016 (81 FR 6532); no comments were received from either notice.

**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 gift to respondents.

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

While there are no assurances of confidentiality, information provided by individuals will be protected from disclosure to the extent appropriate under the applicable provisions of the Freedom of Information Act and the Privacy Act of 1974. Personal data will be collected and maintained in accordance with the Privacy Act. A Privacy Impact Assessment Update was developed on November 12, 2008 to communicate the agency's Privacy Act policy for this collection. In addition, one of the collection instruments, the STA application, includes a Privacy Act (e)(3) notice describing the authorities for collecting the data, as well as its principal purposes, routine uses and the effects of an individual's failure to disclose. The applicable TSA system of records notice (SORN) is DHS/TSA-002, Transportation Security Threat Assessment System, last published in the Federal Register on August 11, 2014 (79 FR 46862).

**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 ask any questions of a sensitive or private nature.

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

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

Information Collections

TSA has identified several separate information collections under this ICR. Collectively, these four information collections represent an estimated average of 18,290 responses annually, for an average annual hour burden of 7,125.40 hours. Table 1 provides a summary of TSA's estimates for these collections. The ensuing paragraphs provide a general description of each collection and the basis for TSA's estimate.

**Table 1: 49 CFR Part 1549 Information Collection and Hour Burden Summary**

Function	Average Annual Responses	Average Annual Responses	Time Per Response	Annual Hours	Average Hourly Loaded Wage	Total Annual Hour Burden Cost	TSA Form Number	CFR Cite
CCSF Application	Collected every 36 months after initial application							

<b>s</b>									
One Year	60	60	3 hours	180	\$38.62	\$6,951.60	419E	49 CFR 1549.7	
Three Years	180	180	3 hours	540	\$38.62	\$20,854.80			
<b>STA Applications</b>	Collected every five years after initial application								
One Year	8,800	8,800	.25 hours	2,200	\$21.65	\$47,630	419F	49 CFR 1549.103 and 1549.111	
Three Years	26,400	26,400	.25 hours	6,600	\$21.65	\$142,890			
<b>Security Programs</b>									
<b>Creations</b>	One time collection								
One Year	60	60	40 hours	2,400	\$38.62	\$92,688	N/A	49 CFR 1549.5	
Three Years	180	180	40 hours	7,200	\$38.62	\$278,064			
<b>Updates</b>	Once annually								
One Year	475 +95 570	475 +95 570	3 hours 2 hours 2.8333	1,425 +190 1,615	\$38.62	\$62,371.30	N/A	49 CFR 1549.5 and 49 CFR 1549.7	
Three Years	1,710	1,710	2.8333	4,845					\$38.62
<b>Recordkeeping</b>	Continuous as needed								
One Year	8,800	8,800	.083 hours	730.40	\$27.21	\$19,874.18	N/A	49 CFR 1549.105	
Three Years	26,400	26,400	.083 hours	2,191.20	\$27.21	\$59,622.54			
<b>TOTAL for One Year</b>	<b>18,290</b>	<b>18,290</b>		<b>7,125.40</b>		<b>\$229,515.08</b>			
<b>TOTAL for Three Years</b>	<b>54,870</b>	<b>54,870</b>		<b>21,376.20</b>		<b>\$688,545.24</b>			

### CCSF Applications

Applicants seeking certification to screen cargo send TSA an application for consideration. CCSF applicants are required to provide basic profile information and supporting documentation demonstrating that the firm satisfies the specified credentials, as well as providing the quantity, make, and model of the technology(ies) used to screen cargo. In addition, after initial certification by TSA, certified facilities (CCSFs) are required to resubmit an application every 36 months. The CCSP section of the TSA Office of Security Operations estimates that it will receive 180 applications in 3 years, for an average of 60 applications annually. TSA estimates that these applications will require an average of 3 hours each to complete, resulting in an annual hour burden of approximately 180 hours (60 x 3).

TSA uses the national average hourly loaded wage of \$38.62<sup>1</sup> for First-Line Supervisors/Managers of movers to estimate the total annual hour burden cost of the application process. The total annual cost burden due to the application process is estimated to be \$6,951.60 (\$38.62 x 180 hours).

<sup>1</sup> Bureau of Labor Statistics, Occupational Employment and Wages, May 2014.

<http://www.bls.gov/oes/2014/may/oes531021.htm> The fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64%, as found in Bureau of Labor Statistics, Employer costs per hour worked for employee compensation and costs as a percent of total compensation, March 2015.  
<http://www.bls.gov/news.release/ecec.t04.htm>

### STA Applications

All CCSP participants subject to 49 CFR Parts 1548 and 1549 are required to have certain employees undergo STAs. Each individual is required to complete an STA application via a web-based tool. The time to complete an STA application is estimated at 15 minutes per individual.

Approximately 6,600 STAs were requested from TSA for CCSP participants between January and September 2015, which is about 733 STAs per month (6,600 STAs/9 months = 733.33). Thus, TSA estimates it will receive a total of 8,800 STA applications per year (733.33 x 12 months), or 26,400 applications in 3 years. TSA estimates that STA applications will require approximately 15 minutes each to complete, resulting in an annual hour burden of 2,200 hours (8,800 x 0.25 hours).

TSA uses a weighted average hourly loaded wage of \$21.65<sup>2</sup> of CCSF workers to estimate the total annual hour burden cost of the application process. The total annual cost burden due application process is estimated to be \$47,630 (\$21.65 x 2,200 hours).

### Security Programs

CCSFs incur collection burdens to create and maintain security programs. CCSFs subject to the different security programs (such as Indirect Air Carriers (IACs)) also need to submit security programs to TSA.

As discussed in the CCSF Application section, TSA estimates that 60 entities will apply for certification every year. All CCSFs are required to maintain records of compliance with TSA regulations and its security program. For a new entity to compile these records, complete the required training, and complete the security program process, TSA estimates that the annual burden is 40 hours. TSA estimates the annual hour burden associated with the initial application of entities requesting to be approved as CCSFs is 2,400 (60 new applicants x 40 hours).

TSA uses the national average hourly loaded wage of \$38.62 for First-Line Supervisors/Managers of movers to estimate the total annual hour burden cost of the development of the security programs. The total annual cost burden due to the development of security programs is estimated to be \$92,688 (\$38.62 x 2,400).

In addition, TSA currently has 950 CCSFs that must recertify every 3 years. According to the CCSP Section of the TSA Office of Security Operations, about half of these, or 475, will renew their certification or will relocate annually. TSA estimates that a renewal of the CCSF or relocation updated to the CCSF will take 3 hours per entity. A site visit to approve the renewal of the CCSF will take an additional 2 hours for each entity. TSA estimates that a site visit takes place for approximately 20 percent of the renewals, or 95 entities (475 x .20).

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<sup>2</sup> Bureau of Labor Statistics, Occupational Employment and Wages, May 2014. A weighted average hourly wage rate is calculated using First Line Supervisors/Managers of Helpers, Laborers, and Material Movers, Hand, Laborers and Freight, Stock, and Material Movers, Hand, and Packers and Packers, Hand, <http://www.bls.gov/oes/2014/may/oes531021.htm>, <http://www.bls.gov/oes/2014/may/oes537062.htm>, <http://www.bls.gov/oes/2014/may/oes537064.htm>, respectively. The fully loaded weighted average wage is calculated using weighted average wage and the percentage of wages to total compensation, 64%, as found in Bureau of Labor Statistics, Employer costs per hour worked for employee compensation and costs as a percent of total compensation, March 2015. <http://www.bls.gov/news.release/eccec.t04.htm>

Thus, TSA estimates that the annual hour burden associated with the renewal applications of existing CCSFs is 1,615 (475 renewals x 3 hours + 95 site visits x 2 hours).

TSA uses the national average hourly loaded wage of \$38.62<sup>3</sup> for First-Line Supervisors/Managers of movers to estimate the total annual hour burden cost of the development of the security programs. The total annual cost burden due to the development of security programs is estimated to be \$62,371.30 (\$38.62 x 1,615).

#### Recordkeeping

All CCSFs enrolled during the period of this PRA are required to maintain records of compliance with the new and amended TSA regulations. TSA estimated a time burden of approximately five minutes (0.083 hours) annually per employee required to have an STA for each CCSF to file the training records and other records of compliance. TSA estimates that it will receive a total of 26,400 STA applications in 3 years, for an average of 8,800 STA applications annually. TSA estimates an annual hour burden of approximately 730.4 hours (8,800 x 0.083 hours).

TSA uses the national average hourly loaded wage of \$27.21<sup>4</sup> for Administrative Assistants to estimate the total annual hour burden cost of recordkeeping. The total annual cost burden due to recordkeeping is estimated to be \$19,874.18 (\$27.21 x 730.4).

### **13. Provide an estimate of the total annual capital and start-up costs.**

As of May 23, 2012, TSA collects \$41 for the cost of STAs (77 FR 30542). TSA estimates an annual average of 8,800 STAs, which will result in an average annual cost burden to industry of \$360,800 (8,800 x \$41).

### **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 will not have been incurred without this collection of information.**

TSA estimated the total cost to the Federal Government associated with the information collections identified in this request to be approximately \$351,281 annually. Table 2 shows TSA estimated costs for information collections associated with each of these respondents. More detailed information about how TSA estimated these costs is provided below.

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<sup>3</sup> Bureau of Labor Statistics, Occupational Employment and Wages, May 2014. <http://www.bls.gov/oes/2014/may/oes531021.htm> The fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64%, as found in Bureau of Labor Statistics, Employer costs per hour worked for employee compensation and costs as a percent of total compensation, March 2015.

<http://www.bls.gov/news.release/ecec.t04.htm>

<sup>4</sup> Bureau of Labor Statistics, Occupational Employment and Wages, May 2014.

<http://www.bls.gov/oes/2014/may/oes436014.htm> The fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64%, as found in Bureau of Labor Statistics, Employer costs per hour worked for employee compensation and costs as a percent of total compensation, March 2015.

<http://www.bls.gov/news.release/ecec.t04.htm>

**Table 2: 49 CFR Part 1544 TSA Costs by Respondent to Process Information Collections**

<b>Respondent Category</b>	<b>Average Annual Responses</b>	<b>Annual Hours</b>	<b>Average Loaded Hourly Wage</b>	<b>Average Annual Cost</b>
CCSF Application and Security Program Review	535	10	\$65.66	\$351,281
<b>Total</b>	<b>535</b>			<b>\$351,281</b>

#### CCSF Application and Security Program Reviews

49 CFR Part 1549 requires TSA to verify the initial security program information produced by the respondents, as well as each facility's annual update. TSA estimated an annual average of 535 (475 updated programs + 60 new programs) applications and security program reviews. CCSF applications and security program reviews are estimated to take an average 10 hours per entity requesting certification at a cost of \$65.66 per hour for a TSA employee, for a total of approximately \$656.60 per review. The wage is based on the average loaded hourly wage rate for an SV I/J band TSA employee. The estimated cost to TSA to verify the security programs and updates required of CCSFs is \$351,281 (535 × \$656.60) annually.

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

TSA revised the number of CCSFs to account for current enrollment and the types of facilities that may enroll in the future. As a result of the drop in the projected CCSF population, there will be fewer applicants from which fixed costs of STAs can be recovered, which will thereby increase the per applicant fee. TSA will publish a notice announcing the final fee but is bearing the cost of conducting STAs until the effective date of the final fee notice. TSA also has eliminated the TSA-approved validation firms (TAVFs) from the CCSP in favor of continued TSA assessments. This change was made in light of a reduction in expected CCSP enrollment.

**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 will 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.

