

INFORMATION COLLECTION SUPPORTING STATEMENT

Enhanced Security Procedures at Ronald Reagan Washington National Airport (DCA)

OMB control number 1652-0035

Expiration 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).***

On December 12, 2003, Congress enacted the Vision 100-Century of Aviation Reauthorization Act (Public Law 108-176, 117 Stat. 2595) (Vision 100). Section 823 of Vision 100, which was codified as a Note to 49 U.S.C. 41718, required the Secretary of Homeland Security to develop a security plan to permit general aviation (GA) aircraft to resume operations into and out of Ronald Reagan Washington National Airport (DCA). The Transportation Security Administration (TSA) issued an interim final rule (IFR) implementing the requirements of Section 823 in 2005. *See* 70 FR 41586 (July 19, 2005).

TSA's regulations require GA aircraft operators to designate a security coordinator and adopt a DCA Access Standard Security Program (DASSP). As part of the DASSP, the regulations require GA aircraft operators to ensure all flight crewmembers, armed security officers (ASOs), and security coordinators have undergone a fingerprint-based criminal history records check (CHRC).

Additionally, to operate flights into and out of DCA, GA aircraft operators must apply to the Federal Aviation Administration (FAA) for a reservation and must submit a flight authorization request to the TSA Airspace Waiver Office. The information collection relevant to the flight authorization request is approved under OMB control number 1652-0033, TSA Airspace Waiver Applications. To receive TSA authorization for a flight, GA aircraft operators must ensure that name-based security threat assessments are conducted by TSA on their crewmembers and passengers, including armed security officers who are required to be onboard. Each ASO also must complete specialized training and receive authorization from TSA. The last point of departure for approved flights into DCA must be from a Fixed Base Operator (FBO)¹ at an airport that holds a security program approved by TSA (gateway airport). At each gateway airport, TSA will inspect the aircraft and will screen the passengers, their carry-on property, and property carried in the cargo hold of the aircraft, before it departs for DCA. The aircraft operator must also comply with all applicable FAA rules.

¹ An FBO is an airport-based commercial enterprise that provides support services to aircraft operators, such as maintenance, overnight parking, fueling, and de-icing.

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 requires the following information for the designation of the GA aircraft operator Security Coordinator: name, full company name, address, corporate flight department location, flight department mailing address; airport used as base of operation; statement asking if the aircraft operator presently complies with a TSA Standard Security Program and indication of which program; and full name, title, phone and email of primary and alternate security coordinator. TSA uses this information to identify the individual(s) designated as a security coordinator and to ensure GA operators adopt a DCA Access Standard Security Program.

TSA also requires the following individuals to submit fingerprints and other identifying information for a name-based security threat assessment: individuals designated as security coordinators by FBOs and GA aircraft operators; flight crewmembers who operate GA aircraft into and out of DCA in accordance with the IFR and DASSP; and ASOs approved in accordance with the IFR. In addition to fingerprints, these individuals also are required to submit the following information: (1) legal name, including first, middle, and last, any applicable suffix, and any other names used; (2) current mailing address, including residential address if different than current mailing address; (3) date and place of birth; (4) social security number (submission is voluntary although recommended); (5) citizenship status and date of naturalization if the individual is a naturalized citizen of the United States; and (6) alien registration number, if applicable. In addition to providing fingerprints and identifying information, ASOs must also provide personal history information (employment, criminal, education, training, military, medical, and law enforcement experience) as well as a photograph and weapon information. For ASOs, TSA will also conduct an employment history verification check. TSA uses this information to perform a CHRC and a security threat assessment to assess whether the individuals pose a security threat. For flight crewmembers, TSA also uses this information to check their FAA records to determine whether they have a record of violation of specified FAA regulations. As part of the threat assessment process, TSA shares the information with the Federal Bureau of Investigation (FBI) and the FAA.

GA aircraft operators are required to provide TSA with the following identifying information for all individuals, including passengers, onboard each aircraft that operates into and out of DCA: (1) legal name, including first, middle, and last, any applicable suffix, and any other names used; (2) date and place of birth; (3) social security number (submission is voluntary, although recommended); (4) current mailing address, including residential address if different than current mailing address; (5) citizenship status and date of naturalization if the individual is a naturalized citizen of the United states; (6) alien registration number if applicable.

GA aircraft operators also are required to provide TSA with the flight plan and registration number of their aircraft that will operate to or from DCA. TSA shares this information with the FAA for purposes of tracking and identifying approved aircraft.

Armed security officer nomination and training

Aircraft operators and FBOs participating in this program can nominate the individuals they would like to be qualified as ASOs by submitting an ASO nomination form to TSA. Once nominated, the ASOs are required to submit information set forth above, as well as employment history information. TSA uses the applicants' information to conduct a fingerprint-based criminal history records check and security threat assessment. Upon successful completion of these checks, the names of all qualified nominees are provided to the Office of Law Enforcement/Federal Air Marshals Service (OLE-FAMS). All qualified applicants must then successfully complete a TSA-approved training course.

- 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.]**

In compliance with the GPEA, aircraft operators can email completed DASSP applications to DASSP@tsa.dhs.gov or fax them to (703) 603-4030 where they will be process 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 is the only agency that collects information from GA pilots, crewmembers, and passengers, including ASOs, to conduct a security threat assessment for purposes of GA flights into and out of DCA. Because this information is collected only when GA aircraft operators apply and operate into and out of DCA under a DASSP, the information collected is not collected or maintained anywhere else.

- 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.**

Any burden imposed on small business or other small entities resulting from the time limits necessary to collect the required information and complete an application (which includes information on individual crewmembers, ASOs and passengers) is necessary to enhance aviation and national security, while facilitating GA aircraft operations at DCA. As mentioned above, TSA has implemented a program to collect all applications electronically, in an effort to reduce the time burden on respondents. A hard copy application and manual application process is available for those respondents with limited access to the Internet.

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.***

Without the information needed to complete security threat assessments, TSA would be unable to process requests for flights into and out of DCA, which would have a negative impact on the GA community. If the required information is not collected, TSA will not be able to conduct fingerprint based security threat assessments on crewmembers, ASOs and name based security threat assessment on passengers and crewmembers onboard GA aircraft operating into or out of DCA. Conducting security threat assessments on these individuals is essential to protect against threats to aviation and national security and the valuable assets in the National Capital Region.

Further, if TSA does not collect the required information from ASO applicants, TSA will not be able to identify qualified individuals to serve as ASOs onboard GA aircraft operating into or out of DCA. Consequently, aircraft operators would not be able to operate in or out of DCA because they could not implement one of the critical security measures required under the regulation.

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 information collection is conducted in a manner consistent with the general information guidelines.

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 and a 30-day notice, as required by 5 CFR 1320.8(d), in the Federal Register soliciting comment for purposes of renewing OMB's approval of this information collection. See 81 FR 943 (January 8, 2016) and 81 FR 14470 (March 17, 2016). TSA has not received any comments in response to the 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. The form includes a Privacy Act Statement citing 49 U.S.C. § 114. The applicable System of Records Notice is DHS/TSA-- 002, Transportation Security Threat Assessment System. See 79 FR 46862 (August 11, 2014). DHS/TSA/PIA-003 - Airspace Waiver and Flight for Certain Aviation Operations (Including DCA), was published on September 20, 2005 on www.dhs.gov.

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 does not ask any questions of a sensitive nature.

12. Provide estimates of reporting and recordkeeping hour and cost burdens of the collection of information.

In the year preceding September 11, 2001, there were on average 660 GA flights per week into DCA. For security reasons, the IFR limits the number of airports from which these operators can depart for DCA. As a result, the total number of flights into DCA will continue to be lower than the pre-2001 numbers. Accordingly, TSA assumes that the number of aircraft operators that will continue to apply for access to DCA will be significantly less than the number of aircraft operators that operated into and out of DCA prior to September 11, 2001.

Currently, there are 107 FBOs participating in the FBO Security Program and 73 gateway airports. Based on participation in the past three (3) years, TSA estimates that approximately 88 aircraft operators will apply for access to DCA annually and thus be required to respond to the information collection requirements. For security coordinators, ASOs, and flight crewmembers, the respondents are required to provide the required information only once for a CHRC. For passengers and crewmembers onboard aircraft operating into or out of DCA, the respondents are required to provide the required information for a name-based threat assessment for each flight into or out of DCA. Based on participation historically and in the past three years, TSA estimates the total number of annual responses to be 704 per year (88 ASO responses + 176 flight crewmember responses + 88 security coordinators + 352 passengers).

TSA continues to estimate that it will take approximately 1.135 hours to collect the required information, including fingerprints, for ASOs, flight crewmembers and security coordinators, for a total burden of 799 hours per year ($704 \times 1.135 = 799$ hours). Based on the aircraft operators' security coordinator average hourly loaded wage rate of \$54.92,² TSA estimates a total cost of \$43,881.08 ($799 \text{ hours} \times \54.92) annually for collection of the required information.

²Loaded hourly rate of 2013 of \$50.26 per hour escalated by 3% for last three (3) years Source: TSA Program Office (PO). For purposes of calculation used the security coordinator loaded hourly rate for the loaded hourly rate of the ASOs and flight crewmembers.

Note: In order to qualify to fly onboard a GA aircraft flying into or out of DCA, each ASO must undergo 16 hours of training per year. However, because training is not a burden associated with the information collection, TSA has not included this number in its hour burden analysis.

Based on participation in the last three (3) years, TSA estimates the total costs to security coordinators associated with this information collection to be \$5,485.41 annually. TSA estimate it will take the aircraft operator's security coordinator an average of 1.135 hours/Roundtrip Flight to collect the required information. Based on the Security Coordinator average hourly loaded wage rate of \$54.92,³ TSA estimate a total cost of \$5,485.41 for the 88 aircraft operators (88 x 1.135 x \$54.92) annually.

13. Provide an estimate of the annualized capital and start-up costs resulting from the collection of information.

TSA estimates that security coordinators, ASOs, and flight crewmembers will complete a CHRC for purposes of this ICR. TSA estimates a fee of \$64.50 for each check. TSA estimates that the additional cost for processing background checks based on information collected will be \$45,408.00 (704 background checks x \$64.50 processing fee) annually.

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.

Based on participation in the last three (3) years, TSA estimates the total costs to the Federal Government to be \$49,554.56 annually. Based on TSA's experience, it takes a maximum of 8 hours to process the information provided by the aircraft operators. Based on a TSA employee average hourly loaded wage rate of \$70.39,⁴ TSA estimates a total cost of \$49,554.56 to the Federal Government for the 88 aircraft operators (88 x 8 x \$70.39) annually.

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

TSA has made changes to the DASSP program which has resulted in a decrease in responses. The decrease in government cost is a direct result of no longer having initial startup costs. The new numbers represent data collected based on the actual number of operators and number of operations conducted under the DASSP program.

³ Loaded hourly rate of 2013 of \$50.26 per hour escalated by 3% for last three (3) years Source: TSA Program Office (PO).

⁴ J Band TSA personnel located at TSA HQ in Arlington, VA; \$146,904 per year (includes 24.78% locality adjustment and a load factor of 28.11%). Source: TSA Financial Management Division.

- 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 information 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 as required.

- 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 exception to the certification statement in Item 19.