

**SUPPORTING STATEMENT
AIRCRAFT OPERATOR SECURITY
49 C.F.R. Part 1544**

**OMB Control No. 1652-0003
Exp: March 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).**

The Transportation Security Administration (TSA) has broad regulatory authority to carry out its transportation security functions. See the Aviation and Transportation Security Act of 2001 (ATSA), Public Law 107-71, 115 Stat. 597 (Nov. 19, 2001). This information collection is related to TSA's aircraft operator security standards regulations, codified at 49 CFR part 1544, which are a critical part of regulatory framework for aviation security. Under TSA regulations and related statutes, aircraft operators are required to perform criminal history record checks (CHRCs) on individuals with unescorted access to secured areas. See 49 U.S.C. § 44936; §§ 1544.229 through 230. Individuals who have convictions for certain crimes within the preceding 10 years are not eligible for unescorted access to the airport secured areas.

This information collection addresses an aspect of the TSA's regulations in 49 CFR part 1544 that require aircraft operators to maintain certain records of compliance and to provide certain information to TSA or make it available for inspection and includes the following information collection and other recordkeeping requirements under this OMB control number: 1) development of a full Aircraft Operator Security Program (AOSSP), a Twelve-Five Standard Security Program (TFSSP), or a Private Charter Standard Security Program (PCSSP), submission to TSA, and implementation; 2) as applicable, development of security program amendments, submission to TSA, and implementation; 3) response to updates and requests to change; 4) collection of data necessary to complete a CHRC for aircraft operator employees and to complete Security Threat Assessment (STA) of individual with unescorted access at airports to secured areas, Security Identification Display Areas (SIDAs), sterile areas, and air operations areas; 5) recordkeeping requirements associated with compliance with the regulation, security programs, CHRCs, STAs, training, recording Air Cargo Screening Facilities Address, Checklist on First Flight, employees who have access privileges to secure areas of the airport, Security Directives (SDs) issued pursuant to the regulation, and other recordkeeping requirements; 6) matching of employees subject to TSA's regulatory requirements against government watch lists; 7) watchlist matching for passengers in case of Secure Flight¹ outages; and 8) incident and suspicious activity reporting (specifics are discussed in the response to Question 12).

¹ This collection is independent of OMB control number 1652-0046 Secure Flight. This is a security program requirement which enables aircraft operators to conduct passenger watchlist matching in the event of a Secure Flight outage. Aircraft operators performing watchlist vetting during a Secure Flight outage are required to retain documentation in order to provide evidence of compliance with established outage procedures.

TSA also collects information related to Employment Standards, also required by 49 CFR part 1544, under OMB Control Number 1652-0006. Aircraft operators are required by part 1544 to maintain records of compliance for selected flight crew and security employees, including records of training and background checks on all employees who have access to secure areas. As part of this Information Collection Request (ICR), TSA proposes to consolidate the 1652-0006 collection under OMB Control Number 1652-0003. Upon approval, TSA intends to discontinue OMB Control Number 1652-0006, Employment Standards.

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.*

Although the Federal government has taken responsibility for many aspects of airport and aircraft security, these programs serve as a vital link in the “system of systems” that comprise modern aviation security and are used by aircraft operators to implement the most current and effective security measures. Part 1544 requires affected aircraft operators to adopt and implement a TSA-approved security program. These programs require the aircraft operators to maintain and update records to ensure compliance with security provisions outlined in part 1544. In addition, the programs require aircraft operators to perform matching of employees subject to TSA’s regulatory requirements against government watch lists and to perform watchlist vetting during a Secure Flight outages. This is independent of the recordkeeping requirements found in OMB control number 1652-0046 regarding Secure Flight.

TSA Principal Security Inspectors (PSIs) and Transportation Security Inspectors (TSIs) frequently review these records to ensure that the safety and security of the public is not compromised and, when necessary, take corrective enforcement action. In addition, as mandated by 49 U.S.C. § 44936, 49 CFR part 1544 requires flight crew members and employees who have unescorted access authority or who perform screening, checked baggage, or cargo functions to submit to a CHRC by submitting personally identifiable information. Such inspections protect the security of the passengers, baggage, cargo, and aircraft.

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.***

Aircraft operators have the latitude and flexibility to maintain the required information in a manner that best meets their particular operational needs, to include electronic maintenance. Thus, this collection is in compliance with the Government Paperwork Elimination Act (GPEA) for record keeping; electronic signatures are not applicable to this program. It is estimated that 70 percent of aircraft operators currently maintain these records electronically.

Additionally, a portion of the collection of information is of immediate importance and TSA must handle via telephonic communication. These are limited instances, but at times TSA needs immediate personal contact with aircraft operators to address issues pertaining to the vetting of passengers, crew members, and other aircraft operator personnel. The urgency pertains to whether or not an individual (passenger or aircraft operator employee, including a crewmember) matches a government watch list and will be permitted to enter or depart from the United States. In light of fiscal concerns, it is to the aircraft operator's advantage to have that decision made prior to the carrier's aircraft entering and departing U.S. airspace.

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.***

Prior to TSA's existence, this information collection was conducted by the Federal Aviation Administration (FAA). ATSA transferred the responsibility for civil aviation security from the FAA to TSA. In February 2002, TSA implemented its aircraft operator security standards regulations through 49 CFR part 1544, while FAA's legacy regulation covering this portion of aviation security, 14 CFR part 108, was repealed. To TSA's knowledge, since the responsibility for this collection transferred to TSA, it has not been duplicated anywhere else.

Similarly, pursuant to 10 CFR 122.182-83, U.S. Customs and Border Protection (CBP) requires CHRCs of individuals with unescorted access to CBP's designated airport Federal Inspection Service (FIS) area. Some individuals working at the airport may need access to the airport secured areas regulated by TSA and the FIS area controlled by CBP. Because a CHRC would be required by both agencies for the same applicant, it is optimal and consistent with the government's view that applicants' fingerprints and associated FBI fees should be collected once rather than twice, and any resulting rap sheets shared among the airport and CBP where the applicant is seeking access.

To minimize duplicate collections, TSA continually strives to work with and identify other entities that have a need to know the information in performance of their official duties pursuant to the Privacy Act, 5 USC § 552a(b)(1), to reduce redundancy of information collection processes.

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.

The amount of information required by this collection is proportional to the size of each aircraft operator's organization and therefore does not create 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.

TSA is responsible for ensuring the security of persons and property traveling within, to, and from the United States. Title 49 CFR part 1544 requires aircraft operators seeking to provide air travel within, into, or out of the United States, as well as between foreign locations, to adopt and implement an aircraft operator security program.

It is imperative that all aircraft operators provide adequate security measures for all flights within, to, and from the United States as well as between foreign locations. Due to potential security threats and ever changing security risks and assessments, it is necessary to require aircraft operators to perform certain security measures, which may involve maintaining records and providing information to TSA. TSA conveys the needed security measures to the aircraft operators via mechanisms provided within the aircraft operator security program, including issuing Security Directives (SDs) when appropriate.

Aircraft operators are provided, via the regulation, an opportunity to indicate when they cannot meet such requirements due to the uniqueness of their operation. Further, aircraft operators may provide to TSA an alternate means by which they can meet the intent of the required TSA security measures. TSA handles such requests on a case-by-case basis.

Aircraft operators are required to conduct a comparison of their employees against the TSA No Fly and Selectee Lists and report any matches to TSA. Additionally, on the rare occasions when there is a Secure Flight outage, aircraft operators are required by the security programs to conduct further comparison of their passengers against the TSA No Fly and Selectee Lists and report any matches to TSA. This is separate from the collection done under OMB control number 1652-0046, regarding Secure Flight.

If this collection was not conducted, TSA would not be in compliance with its statutory mandate and the security of aircraft operators would be compromised. The collected information is subject to review during the TSA inspection process. Additionally, if the information to conduct CHRCs was not required, aircraft operator employees who were convicted of disqualifying criminal offenses deemed threatening to aviation security could gain access to secured areas of an airport or obtain security-sensitive positions.

Some data collection activity is primarily driven by an aircraft operator's pace of operations. Reduction in the frequency of data collection could adversely impact the aircraft operator's and TSA's ability to identify and rectify downward-trending rates of security program compliance.

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).*

TSA imposes reporting of aircraft search checklists, training recordkeeping, and cargo-related recordkeeping in the interest of aviation security and trend analysis. In addition, pursuant to 49 CFR 1544.229(k)(4), all records must be maintained at least 180 days after the termination of an individual's authority to perform a covered function. This may require airport and aircraft operators to maintain records of employees for over three years as described in 5 CFR 1320.5(d)(2)(iv). Additionally, in the event of a Secure Flight Outage, aircraft operators are required to report to TSA, on a flight-by-flight basis, any potential match in the comparison of their passengers against the TSA No Fly and Selectee Lists. On average, the TSA No Fly and Selectee Lists are updated on a daily basis. Finally, in the interest of transportation security, aircraft operators must maintain records of compliance associated with the security program requirements and related Federal regulations indefinitely. 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 is in continuous dialogue with aircraft operator stakeholders and public comments were sought via a 60-day notice in the Federal Register on November 17, 2015, (80 FR 71817) and a 30-day notice on March 9, 2016, (81 FR 12518); TSA received no comments.

- 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.**

TSA does not provide any 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. Personally identifying information will be collected and transmitted in accordance with the Privacy Act. However, to the extent that the information collected is Sensitive Security Information (SSI) as defined in 49 CFR part 1520, "Protection of Sensitive Security Information," such information is protected from public disclosure.

Also, 49 CFR 1542.209 (k)(4) and 1544.229 (k)(3) and a related Security Directive require aircraft operators to maintain records in a manner that protects confidentiality of the individual and is acceptable to TSA.

This collection is covered by the SORN, DHS/TSA-002 Transportation Security Threat Assessment Systems. See 79 FR 46862 (August 11, 2015). The collection is also covered by several PIAs, including DHS/TSA/PIA-017 Large Aircraft Security Program, DHS/TSA/PIA-019 Air Cargo Security Requirements and DHS/TSA/PIA-020 Security Threat Assessment for Airport Badge and Credential Holders. The following are the applicable links:

https://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_tsa_largeaircraft.pdf;
https://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_aircargo.pdf;
https://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_tsa_airport_creds.pdf;
https://www.dhs.gov/xlibrary/assets/privacy/privacy_pia_tsa_sida.pdf;

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.

The collection does not include questions of a sensitive or private nature.

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

TSA estimates 59 aircraft operators currently have regularly scheduled flights and maintain a full Aircraft Operator Standard Security Program (AOSSP). These aircraft operators generally provide scheduled passenger service and public charter service and tend to be larger companies. TSA estimates approximately five (5) new start-up AOSSP aircraft operators annually. Thus, the average annual number of AOSSP aircraft operators for the three-year period of analysis for this PRA is 64 (59 in year 1 + 64 in year 2 + 69 in year 3 = 192 / 3 years = 64).

There are 558 aircraft operators that have on-demand charter businesses or operate flights under 12,500 pounds Private Charter Standard Security Program (PCSSP) or Twelve-Five Standard Security Program (TFSSP). These aircraft operators typically provide on-demand air service and tend to be smaller companies.

49 CFR part 1544 also governs recordkeeping requirements for the 25 aircraft operators holding a full All-Cargo Standard Security Program; however, their hour burden has been separately reported under OMB control number 1652-0040.

Table 1: Respondent Summary

Respondent Category	Average Unique Annual Respondents
AOSSP operators	64
TFSSP/PCSSP operators	558
Total	622

TSA has identified nine separate information collections under this ICR. These collections will affect an estimated average of 622 unique respondents annually over the three years of the Paper Reduction Act (PRA) analysis. Collectively, these nine information collections represent an estimated average annual hour burden of 2,256,223 hours. The burden depends on the frequency of flights the aircraft operator has within, to, and from the United States. The hour burden estimates are broken out by category below.

AOSSP Population and Hour and Burden Cost Estimate

The AOSSP hour burden estimate is comprised of maintaining security programs, CHRC applications, STA applications, maintaining records of compliance, and watch list matching. TSA estimates an average annual total hour burden of 2,027,920 to AOSSP operators and a total annual hour burden cost of \$91,558,009.

Table 2: AOSSP Hour Burden Estimate

Information Collection	Average Annual Responses	Hour Burden per response	Total Annual Hour Burden	Average Hourly Loaded Wage	Total Annual Hour Burden Cost
Security Programs					
New	5	120	600	\$92.41	\$55,446
Updates	64	4	256	\$92.41	\$23,657
Amendments	256	1	256	\$92.41	\$23,657
Requests to change	120	1	120	\$92.41	\$11,089
CHRC Applications	99,840	0.5	49,920	\$54.50	\$2,720,640
STA Applications	99,840	.25	24,960	\$54.50	\$1,360,320
Recordkeeping					
Security Programs	64	4	256	\$27.21	\$6,966
CHRCs/STAs	64	520	33,280	\$27.21	\$905,549
Training	64	24	1,536	\$27.21	\$41,795
Addresses	30	2	60	\$27.21	\$1,633
Checklist Employees at	2,150,304	0.1667	358,456	\$22.64	\$8,115,444
Airports	17,800	0.0833	1,483	\$27.21	\$40,352
Other	64	520	33,280	\$27.21	\$905,549
Watchlist					
Matching	761,288,443	0.002	1,522,577	\$50.77	\$77,301,234
Matches	220	4	880	\$50.77	\$44,678
Total			2,027,920		\$91,558,009

Security Programs

New

TSA estimates approximately five (5) new start-up operators annually. These start-up aircraft operators will use the AOSSP, which takes approximately 120 hours to complete. The average annual hour burden for new security programs is estimated to be 600 hours (5 operators × 120 hours). TSA uses the national average hourly loaded wage of \$92.41² for General and Operations Managers to estimate the total annual hour burden cost of the new

² Bureau of Labor Statistics, Occupational Employment and Wages, May 2014.

<http://www.bls.gov/oes/2014/may/oes111021.htm> The fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64 percent, 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>

security program process. The total annual hour burden cost due to the application process is estimated to be \$55,446 (\$92.41 x 600 hours).

Updates

TSA estimates the time burden associated with security program updates to be an average of four (4) hours per update. The average annual hour burden for AOSSP security program updates is estimated to be 256 hours (64 operators × 4 hours). TSA uses the national average hourly loaded wage of \$92.41³ for General and Operations Managers to estimate the total annual hour burden cost of the updates to the security program. The total annual hour burden cost due to the updates to the security programs is estimated to be \$23,657 (\$92.41 x 256 hours).

Amendments

If necessary for safety and the public interest, TSA may require an amendment or the aircraft operator may request an amendment to the TSA-approved security program via email or in writing. TSA considered the average number of aircraft operator amendments between 2008 and 2014 to estimate four amendments per year. Each of the aircraft operators would be required to respond for each amendment, at an estimated one (1) hour per amendment. TSA estimates an annual burden of 256 hours (64 operators × 4 amendments × 1 hour). TSA uses the national average hourly loaded wage of \$92.41⁴ for General and Operations Managers to estimate the total annual hour burden cost of the amendments to the security programs. The total annual hour burden cost due to the amendments to the security programs is estimated to be \$23,657 (\$92.41 x 256 hours).

Requests to Change

An aircraft operator may submit a request to TSA, specifically to a TSA Principal Security Specialist via email or in writing, to change its TSA-approved security program or to adopt other means to meet the TSA-issued amendments. Based on past requests, TSA estimates it will receive 120 requests annually. TSA estimates one (1) hour to prepare documentation for each request, for an annual burden of 120 hours (120 requests × 1 hour). TSA uses the national average hourly loaded wage of \$92.41⁵ for General and Operations Managers to estimate the total annual hour burden cost of the requests to change the security programs. The total annual hour burden cost due to the requests to change the security programs is estimated to be \$11,089 (\$92.41 x 120 hours).

³ *Ibid.*

⁴ *Ibid.*

⁵ *Ibid.*

CHRC Applications

TSA requires the aircraft operators to collect information from employees that the Federal Bureau of Investigation (FBI) needs to conduct a CHRC. The aircraft operator is required to collect information from prospective employees that contain the following information as required by 49 CFR 1544.229 and 1544.230: ID verification, statement that the individual has not been convicted of any of the 28 disqualifying crimes, signature verification, fingerprint disposition from the FBI, and for those who do not perform electronic fingerprint submission, fingerprint cards which are required recordkeeping. The information passes through TSA, goes to the FBI, and the FBI returns any rap sheets that correspond to the biographic information that TSA submitted. TSA posts those rap sheets on a secure web board that the aircraft operators then access, in order to adjudicate the results based on a list of disqualifying criminal offenses.

Each CHRC takes roughly 30 minutes. TSA estimates a typical AOSSP employee will work on approximately 1,560 per year (20 per week × 52 weeks × 1.5 for recurrent CHRCs). For all AOSSPs, the total annual hour burden is 49,920 (1,560 CHRCs per year × 64 AOSSPs × 0.5 hours per CHRC). TSA uses a weighted average hourly loaded wage of \$54.50⁶ for Airline Pilots, Co-Pilots, and Flight Engineers and Reservation and Transportation Ticket Agents to estimate the total annual hour burden cost of the new security program process. The total annual hour burden cost due to the application process is estimated to be \$2,720,640 (\$54.50 × 49,920 hours).

Security Threat (STA) Assessments

For the STA requirement, based on a 15-minute estimate for each of the average 99,840 annual responses, TSA estimates that the average annual burden will be 24,960 hours. TSA uses a weighted average hourly loaded wage of \$54.50 for Airline Pilots, Co-Pilots, and Flight Engineers and Reservation and Transportation Ticket Agents 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 \$1,360,320 (\$54.50 × 24,960 hours).

Recordkeeping

Security Programs

Upon request of TSA, each aircraft operator must provide evidence of compliance with 49 CFR part 1544 and its security program, including copies of records. Accordingly, TSA estimates that an average of four (4) hours is required for each aircraft operator to maintain copies (hard copies at corporate offices and electronic copies maintained at stations) and to make their security programs available for review. TSA estimates an annual burden of approximately 256 hours (64 operators × 4 hours). TSA uses the national average hourly

⁶ Bureau of Labor Statistics, Occupational Employment and Wages, May 2014 for Airline Pilots, Co-Pilots, and Flight Engineers (<http://www.bls.gov/oes/2014/may/oes532011.htm>) and Reservation and Transportation Ticket Agents (<http://www.bls.gov/oes/2014/may/oes434181.htm>) The fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64 percent, 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>

loaded wage of \$27.21⁷ for Administrative Assistants to estimate the total annual hour burden cost of recordkeeping of security programs. The total annual hour burden cost due to recordkeeping of security programs is estimated to be \$6,966 (\$27.21 x 256 hours).

CHRC/STA

Based on data provided by the American Association of Airport Executives (AAAE), TSA estimates AOSSP aircraft operators devote approximately 10 hours per week, or 520 hours per year, to recordkeeping associated with CHRCs and STAs. TSA estimates an annual burden of approximately 33,280 hours (64 operators × 520 hours). TSA uses the national average hourly loaded wage of \$27.21⁸ for Administrative Assistants to estimate the total annual hour burden cost of CHRC/STA recordkeeping. The total annual hour burden cost due to CHRC/STA recordkeeping is estimated to be \$905,549 (\$27.21 x 33,280 hours).

Training

Aircraft operators are required by their security programs to provide their crewmembers and other individuals performing security-related functions with initial training and recurrent training covering a number of subjects. Depending on the subject matter, the training is delivered by several methods, such as web-based training, classroom training, hands on training, and home study. The aircraft operators must retain the records for varying specified periods of time. TSA estimates that the average annual hour burden per carrier associated with this recordkeeping requirement is 24 hours, resulting in an annual burden of 1,536 hours (64 operators × 24 hours). TSA uses the national average hourly loaded wage of \$27.21⁹ for Administrative Assistants to estimate the total annual hour burden cost of training recordkeeping. The total annual hour burden cost due to training recordkeeping is estimated to be \$41,795 (\$27.21 x 1,536 hours).

Recording Air Cargo Screening Facilities' Address

Aircraft operators are required by their security programs to record the air cargo screener's address. TSA estimates 30 aircraft operators, recording the air cargo screener's address, will each take 2 hours annually to complete this record, or 60 hours annually (30 operators x 2 hours). TSA uses the national average hourly loaded wage of \$27.21¹⁰ for Administrative Assistants to estimate the total annual hour burden cost of recordkeeping. The total annual hour burden cost due to recordkeeping is estimated to be \$1,633 (\$27.21 x 60 hours).

Checklist on First Flight

⁷ 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 percent, 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>

⁸ *Ibid.*

⁹ *Ibid.*

¹⁰ 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 percent, 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>

TSA estimates the number of first flights per day using the Federal Aviation Administration's Flight Schedule Data System¹¹ to find the number of U.S. aircraft operator departures for a random one-week period beginning at 5:00 a.m. and ending at 10:00 a.m. Annualizing these data, TSA estimates there are 2,150,304 first flights of the day annually. TSA estimates that it takes 10 minutes (0.1667 hours) to conduct the checklist on each of these flights, or 358,456 hours annually (2,150,304 flights x 0.1667 hours). TSA uses a weighted average hourly loaded wage of Cleaners of Vehicles and Equipment and Flight Attendants of \$22.64¹² to estimate the total annual hour burden cost of conducting and recording the checklist. The total annual hour burden cost due to recordkeeping is estimated to be \$8,115,444 (\$22.64 x 358,456 hours).

Employees at Airports

Employees at international airports are required to provide a one-time information collection verifying employees have been subjected to a background investigation. TSA estimates this information collection will take five (5) minutes per employee and that this will affect 100 employees in each of the 178 international airports with AOSSP aircraft operators. TSA estimates the annual burden of 1,483 hours (178 airports x 100 employees x 5 minutes). TSA uses the national average hourly loaded wage of \$27.21¹³ for Administrative Assistants to estimate the total annual hour burden cost of recordkeeping. The total annual hour burden cost due to recordkeeping is estimated to be \$40,352 (\$27.21 x 1,483 hours).

Other Recordkeeping

Based on data provided by AAAE, TSA estimates AOSSP aircraft operators devote approximately 10 hours per week, or 520 hours per year, for other required recordkeeping under 49 CFR part 1544. These recordkeeping requirements include maintaining and creating records such as checklists or locations where cargo is screened, in accordance with the approved security program. TSA estimates an annual burden of 33,280 hours (64 operators x 520 hours). TSA uses the national average hourly loaded wage of \$27.21¹⁴ for Administrative Assistants to estimate the total annual hour burden cost of recordkeeping. The total annual hour burden cost due to recordkeeping is estimated to be \$905,549 (\$27.21 x 33,280 hours).

Watch List

Matching

Note: TSA has assumed from the private sector the responsibility for pre-flight screening of passengers and certain non-traveling individuals against the Federal Government watch list

¹¹ <https://aspm.faa.gov/fsds/sys/> This database requires a user name and password.

¹² Bureau of Labor Statistics, Occupational Employment and Wages, May 2014 for Cleaners of Vehicles and Equipment (<http://www.bls.gov/oes/2014/may/oes537061.htm>) and Flight Attendants (<http://www.bls.gov/oes/2014/may/oes532031.htm>) The fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64 percent, 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>

¹³ *Ibid.*

¹⁴ *Ibid.*

as required by section 4012(a) of the Intelligence Reform and Terrorism Prevention Act, and consolidation of the aviation passenger watch list matching function within one agency of the Federal Government. Although Secure Flight is fully operational, aircraft operators are required to conduct a comparison of certain employees against the TSA No Fly and Selectee Lists and report any matches to TSA. Additionally, in the event of a Secure Flight outage, aircraft operators are required to conduct further comparison of their passengers against the TSA No Fly and Selectee Lists and report any matches to TSA. On average, the TSA No Fly and Selectee Lists are updated on a daily basis. This is done on a flight-by-flight basis, depending for each flight on whether there is a potential match. See ICR (OMB Control Number 1652-0046).

Aircraft operators devote considerable time to comparing passenger names to watch lists distributed by TSA. While TSA directs aircraft operators to conduct these checks, it does not specify how they are to do so. Consequently, aircraft operators employ diverse methods to perform these checks, resulting in varying hour burdens. Aircraft operators are required to report tentative matches and confirmed matches to the watch lists during a Secure Flight outage. TSA was able to estimate the hour burden for a single aircraft operator. TSA used the data from this one major aircraft operator as a proxy for the remaining AOSSP respondents. As a result, the annual hour burden calculated below may or may not be an accurate reflection of the actual annual burden experienced by respondents.

The largest commercial aircraft operators incorporate the updated TSA watch lists on a daily basis. Based on interviews with aircraft operators, TSA estimates this process takes approximately three (3) hours per day. The CRS then compares passenger names to names in the watch lists and returns possible matches to a team of airline employees who review these "hits." The size of such staffs varies between airlines, but one major airline maintains 15 people on duty 24-hours per day. TSA assumes the required reporting of any confirmed or tentative matches to TSA is included in the duties and hour burden of the airline staff. Thus, the respondent airline devotes $131,400$ ($15 \text{ staff} \times 24 \text{ hours/day} \times 365 \text{ days/year}$) + $1,095$ ($3 \text{ hours/day} \times 365 \text{ days/year}$) = $132,495$ hours per year to watch list matching. Dividing this annual hourly burden by the airline's fiscal year 2010 enplanements ($66,247,500$ enplanements) yields a per-enplanement hourly burden of 0.002 hours per enplanement for watch list matching.

TSA multiplies the 0.002 hours per enplanement by the total number of enplanements in 2014 (761,288,443¹⁵). Thus, TSA estimates an annual burden of approximately 1,522,577 hours (0.002 hours × 761,288,443 enplanements). TSA uses the national average hourly loaded wage of \$50.77¹⁶ for Business Operations Specialists in the Air Transportation Industry to estimate the total annual hour burden cost of watchlist matching. The total annual hour burden cost due to watch list matching is estimated to be \$77,301,234 (\$50.77 x 1,522,577 hours).

Matches

It takes an average of four (4) hours to determine if a match has been made. TSA estimates approximately 220 watch list matches annually, for an annual burden of approximately 880 hours (220 matches × 4 hours). TSA uses the national average hourly loaded wage of \$50.77¹⁷ for Business Operations Specialists in the Air Transportation Industry to estimate the total annual hour burden cost of watchlist matches. The total annual hour burden cost due to matches is estimated to be \$44,678 (\$50.77 x 880 hours).

Note: TSA has assumed the responsibility for pre-flight screening of passengers and certain non-traveling individuals against the Federal Government watch list from the private sector as required by section 4012(a) of the Intelligence Reform and Terrorism Prevention Act, and consolidation of the aviation passenger watch list matching function within one agency of the Federal Government. Although Secure Flight is fully operational, aircraft operators are required to conduct a comparison of certain employees against the TSA No Fly and Selectee Lists and report any matches to TSA. Additionally, in the event of a Secure Flight outage, aircraft operators are required to conduct further comparison of their passengers against the TSA No Fly and Selectee Lists and report any matches to TSA. On average, the TSA No Fly and Selectee Lists are updated on a daily basis. This is done on a flight-by-flight basis, depending for each flight on whether there is a potential match. See ICR (OMB Control Number 1652-0046).

Incident and Suspicious Activity Reporting

TSA requires aircraft operators to immediately report to the Transportation Security Operations Center (TSOC) all incidents, suspicious activities, and threats that could affect the security of U.S. civil aviation.

TFSSP/PCSSP Population and Hour and Cost Burden Estimate

¹⁵ http://www.faa.gov/airports/planning_capacity/passenger_allcargo_stats/passenger/

¹⁶ Bureau of Labor Statistics, Occupational Employment and Wages, May 2014.

http://www.bls.gov/oes/2014/may/naics4_488100.htmThe fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64 percent, 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>

¹⁷ Bureau of Labor Statistics, Occupational Employment and Wages, May 2014.

http://www.bls.gov/oes/2014/may/naics4_488100.htmThe fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64 percent, 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>

As stated above, approximately 558 aircraft operators hold either a Twelve-Five Standard Security Program (TFSSP) or a Private Charter Standard Security Program (PCSSP). The TFSSP/PCSSP hour burden estimate is comprised of maintaining security programs, CHRC applications, STA applications, maintaining records of compliance, and watch list matching. TSA estimates an average annual total hour burden of 228,303 to TFSSP/PCSSP operators and a total annual hour burden cost of \$11,983,669.

Table 3: TFSSP/PCSSP Hour Burden Estimate

Information Collection	Average Annual Responses	Hour Burden per response	Total Annual Hour Burden	Average Hourly Loaded Wage	Total Annual Hour Burden Cost
Security Program Amendments	1,116	8	8,928	\$92.41	\$825,036
CHRC Applications	2,250	0.5	1,125	\$65.80	\$74,025
STA Applications	2,250	0.25	563	\$65.80	\$37,045
Recordkeeping (incl. filing CHRC, training, etc.)	2,250	0.083	187	\$27.21	\$5,088
Watch list Matching	2,610,000	0.083	217,500	\$50.77	\$11,042,475
Total			228,303		\$11,983,669

Security Programs

Corresponding to the scope of their operations, TSA has established less burdensome security program requirements for TFSSP and PCSSP aircraft operators. On average, these 558 respondents only incur a recordkeeping burden when they need to amend their security programs. TSA estimates each amendment requires eight (8) hours of operator time and that operators process two (2) amendments per year, resulting in an estimated annual burden of 8,928 hours (558 operators × 2 amendments × 8 hours). TSA uses the national average hourly loaded wage of \$92.41¹⁸ for General and Operations Managers to estimate the total annual hour burden cost of the new security program process. The total annual hour burden cost due to the application process is estimated to be \$825,036 (\$92.41 x 8,928 hours).

CHRC Applications

TSA estimates that approximately 2,250 employees will need CHRCs each year for this group of respondents. This number includes recurrent vetting of employees. The length of time required to process and adjudicate each CHRC would require each respondent in this category to spend approximately 30 minutes (0.5 hours) of time per employee. TSA estimates an annual burden of approximately 1,125 hours (2,250 employees × 0.5 hours).

¹⁸ Bureau of Labor Statistics, Occupational Employment and Wages, May 2014.

<http://www.bls.gov/oes/2014/may/oes111021.htm> The fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64 percent, 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>

TSA uses a weighted average hourly loaded wage of Commercial Pilots and Flight Attendants of \$65.80¹⁹ to estimate the total annual hour burden cost of conducting and recording the checklist. The total annual hour burden cost due to CHRC applications estimated to be \$74,025 (\$65.80 x 1,125 hours).

STA Application

For the STA requirement, based on a 15-minute (0.25 hours) estimate for each of the average 2,250 annual responses, TSA estimates that the average annual burden will be 563 hours (2,250 responses x 0.25 hours). TSA uses a weighted average hourly loaded wage of \$65.80 for Commercial Pilots and Flight Attendants 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 \$37,045 (\$65.80 x 563 hours).

Recordkeeping

All TFSSP and PCSSP operators are required to maintain records of compliance. TSA estimates a recordkeeping burden of five (5) minutes (0.083 hours) annually per employee who is required to have a CHRC to file security programs, training records, CHRC/STA records, and other records of compliance. TSA estimates an annual burden of approximately 187 hours (2,250 employees x 0.083 hours). TSA uses the national average hourly loaded wage of \$27.21²⁰ for Administrative Assistants to estimate the total annual hour burden cost of recordkeeping. The total annual hour burden cost due to recordkeeping is estimated to be \$5,088 (\$27.21 x 188 hours).

Watch List Matching

Like the AOSSP respondents, these operators must sometimes compare passenger names to TSA's watch lists. Again, actual hour burdens vary widely across the industry. TSA estimates aircraft operator security coordinators spend an average of five (5) minutes per passenger on the watch list process. This estimate accounts for the time to download the watch list, compare passenger names to names in the lists, and adjudicate any potential matches. TSA has previously estimated that these respondents carry approximately 2.61 million passengers per year, resulting in an annual hour burden of 217,500 hours (2.61 million passengers x 5 minutes). TSA uses the national average hourly loaded wage of \$50.77²¹ for Business Operations Specialists in the Air Transportation Industry to estimate the total annual hour burden cost of watchlist matches. The total annual hour burden cost due to watchlist matching is estimated to be \$11,042,475 (\$50.77 x 217,500 hours).

¹⁹ Bureau of Labor Statistics, Occupational Employment and Wages, May 2014 for Cleaners of Vehicles and Equipment (<http://www.bls.gov/oes/2014/may/oes537061.htm>) and Flight Attendants (<http://www.bls.gov/oes/2014/may/oes532031.htm>) The fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64 percent, 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>

²⁰ Ibid.

²¹ Bureau of Labor Statistics, Occupational Employment and Wages, May 2014. http://www.bls.gov/oes/2014/may/naics4_488100.htmThe fully loaded wage rate is calculated using mean annual wage and the percentage of wages to total compensation, 64 percent, 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>

Total Hour Burden Estimate

TSA estimates the 64 AOSSP aircraft operators devote approximately 2,027,920 hours per year to maintain their security programs, perform CHRCs, maintain records of compliance, and match and adjudicate names against the watch list.

TSA estimates the 558 TFSSP and PCSSP aircraft operators devote approximately 228,303 hours per year to conduct TSA watch list comparisons and report matches to TSA, perform CHRCs, maintain their security programs, and maintain records of compliance.

Table 4: Total AOSSP, TFSSP, and PCSSP Hour Burden Estimate

Information Collection	Total Annual Hour Burden	Total Annual Hour Burden Cost
AOSSP	2,027,920	\$ 91,558,009
TFSSP/PCSSP	228,303	\$11,983,669
Total	2,256,223	\$ 103,541,678

Note: Totals may not sum due to rounding.

Together, TSA estimates the 622 respondents have an average annual hour burden of 2,256,223 hours. As discussed previously, TSA’s estimates of the annual hour burden for respondents to compare passengers to the watch lists are based on very limited data and may or may not accurately reflect the actual burden on the industry. The total annual hour burden cost is estimated at \$103,541,678.

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

Separate from the hour burden estimates provided in the response to question 12 above, aircraft operators incur other costs resulting from the collection of information. Fees for the fingerprinting required by a CHRC range from \$29 to \$75 if the operator uses National Aviation Trades Association (NATA) fingerprinting services. TSA uses an average fee of \$52.

Information Collection	Annual Responses	Cost Burden per response	Total Annual Cost Burden
AOSSP CHRC Fees	66,560	\$52.00	\$3,461,120
TFSSP/PCSSP CHRC Fees	1,500	\$52.00	\$78,000
Total			\$3,539,120

TSA estimated each AOSSP operator will require an average of 1,040 new CHRCs for employees annually (20 CHRCs per week × 52 weeks). Based on an average fee of \$52, the average annual cost to process CHRCs for respondents holding an AOSSP will be approximately \$3,461,120 (64 operators × 1,040 CHRCs × \$52).

TSA estimates approximately 1,500 employees will need CHRCs each year for TFSSP/PCSSP respondents. Based on an average fee of \$52 for fingerprinting required by a CHRC, TSA estimates the average annual cost to respondents holding a PCSSP or TFSSP to process CHRCs will be approximately \$78,000 (1,500 CHRCs × \$52).

Thus, TSA estimates the total average annual cost to all respondents as a result of this collection will be approximately \$3,539,120. The increase in the total annual cost burden from the previous (2002) ICR reflects the inclusion of additional respondents, which were previously excluded.

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.

Regulations at 49 CFR part 1544 requires TSA to verify the information maintained by the respondents, as outlined above. An average verification is completed by a H band-level TSA TSI inspector, with a loaded salary of \$36.69 per hour.

Information Collection	Annual Respondents	Hour Burden per Respondent	Load ed Hourly Wage	Total Annual Cost Burden
AOSSP Verification	64	25	\$36.69	\$58,704
TFSSP/PCSSP Verification	558	4	\$36.69	\$81,892
Total				\$140,596

Verification is estimated to take an average of 25 hours per respondent holding an Aircraft Operator Standard Security Program. The cost to TSA to verify the information required of AOSSP respondents is thus \$58,704 annually (64 operators × 25 hours × \$36.69 loaded hourly wage).

Verification is estimated to take an average of four hours per year per respondent holding a TFSSP or PCSSP. The cost to TSA to verify the information required of these respondents is thus \$81,892 (558 operators × 4 hours × \$36.69 loaded hourly wage).

The total annual cost to the Federal government for this program is estimated to be approximately \$140,596 annually.

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

TSA is requesting a modification of OMB control number 1652-0003 to include the data elements of another collection. In order to simplify and reduce duplication among TSA collections²², TSA is including in this collection the recordkeeping requirements under OMB control number 1652-0006 Employment Standards which applies to 49 CFR part 1544. Upon OMB approval of the collection, TSA intends to discontinue OMB control number 1652-0006 Employment Standards. The information being collected for 1652-0003 and 1652-006 has not changed. TSA is only adding the data points collected under 1652-0006 to 1652-0003.

In addition, while completing the current ICR, TSA noted that the prior 2012 submission gave a vague rendering of all the information being collected. Thus, the Supporting Statement was updated to provide more clarity about the information collection. As a result, the data elements have been more clearly broken down in the response to Q12.

Further, there has been an increase in the burden hours associated with the collection. First, the increase in burden hours is due to aircraft operators updating content in their security programs that pertain to recent threats and terrorist acts to the aviation industry (such as the attempted bombing using printers in October 2010, the underwear bomb plot in 2012 and the plot to bomb an airport in Wichita in 2013). Second, aircraft operators have slowly increased the number of enplanements per year. Third, TSA's program office has been able to provide better estimates for the collection. For example, the process of maintaining and updating aircraft operator security plans was recalculated to more accurately reflect the time and effort the respondents are expending in order to comply with the security program requirement. Additionally, the increase in the total annual hour and cost burden reflects the inclusion of the requirements for CHRC and the watchlist vetting during Secure Flight outages.

²² OMB control numbers 1652-0002 Airport Security Part 1542; 1652-0003 Aircraft Operator Security, 49 CFR Part 1544; and 1652-0006 Employment Standards, 49 CFR parts 1542 and 1544.

An additional change in the collection is the respondents. Since the previous ICR submission, the respondents for the collection have decreased. For the AOSSP operators, the respondents have decreased from 71 to 64 and for the TFSSP/PCSSP operators, the respondents have decreased from 801 to 558. While the number of respondents has decreased, the number of responses from the respondents has increased.

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 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.