

## **INFORMATION COLLECTION SUPPORTING STATEMENT**

### **Law Enforcement Officer Flying Armed Training OMB Control Number 1652-0034**

- 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).**

With the establishment of the Transportation Security Administration (TSA) under the Aviation and Transportation Security Act, Public Law 107-71, on November 19, 2001, the responsibilities for civil aviation security were transferred from the Federal Aviation Administration to the TSA. As a result, TSA assumed responsibility for the Law Enforcement Officers (LEOs) Flying Armed Training program. TSA requires all LEOs who have a need to fly armed to complete this training under 49 CFR 1544. 219. "Armed," for purposes of this program, means that the LEO carries the firearm on his or her person, and not in checked baggage. The course is a non-tactical overview of the conditions under which an officer may fly armed, the expected behavior of the officer while flying armed, and the scope of authority of the LEO during flight. The collection involves TSA gathering information from territorial, tribal, federal, municipal, county, state, and authorized railroad law enforcement agencies who have requested the LEO Flying Armed training course. More information about the program is available at [http://www.tsa.gov/lawenforcement/programs/traveling\\_with\\_guns.shtm](http://www.tsa.gov/lawenforcement/programs/traveling_with_guns.shtm).

- 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 will gather information from law enforcement agencies that have requested the LEO Flying Armed training course. TSA will gather the information to confirm that the agencies are eligible for this program—verifying that they are active law enforcement agencies whose officers have an operational need to fly armed. To obtain access to the LEO Flying Armed training course, territorial, tribal, federal, municipal, county, state, and authorized railroad law enforcement agencies must contact TSA via official agency email at [LEOFA@dhs.gov](mailto:LEOFA@dhs.gov), as stated on the web site, link above. Upon receiving the email, TSA responds via email requesting that the agency provide the full name of the training officer, agency name, and agency address, as well as the name of training officer's direct supervisor.

TSA is making a non-substantial change request to allow law enforcement agencies to also provide the information via an electronic form available at [http://www.tsa.gov/lawenforcement/programs/traveling\\_with\\_guns.shtm](http://www.tsa.gov/lawenforcement/programs/traveling_with_guns.shtm). This collection mode will be an alternative to the email mode. Law enforcement agencies may continue to provide the requested information via email should they choose.

Once the respondent has supplied the needed information, TSA then contacts the agency via phone to verify all information provided. TSA's Office of Law Enforcement/Federal Air

Marshal Service (OLE/FAMS) uses the information to maintain a record of law enforcement agencies that have received the training materials. If an issue arises during the screening and verification process regarding the authenticity of an agency that requests training materials, TSA will not supply any training materials until that issue has either been confirmed or resolved and will maintain a record of the issue.

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.]***

Consistent with the Government Paperwork Elimination Act, this is a fully electronic collection of information. As described in Question 2, the information will be collected via email or by an electronic form. However, TSA will also collect the information via phone for law enforcement agencies preferring to provide information in that manner.

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.***

This information is not collected in any form, and therefore is not duplicated.

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 information does not have an impact on 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.***

This is a one-time collection from each law enforcement agency that wishes to receive the LEO Flying Armed Training. The flying public and air safety in general could be put in jeopardy without the ability to verify agencies' requests for the training.

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 collection will be conducted in a manner consistent with the general information collection guidelines in 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 published respectively two Federal Register notices, with a 60-day and a 30-day comment period, soliciting comments on this collection of information request. See 80 FR 7624 (February 11, 2015) and 80 FR 21747 (April 20, 2015). The agency did not receive any comments on the collection of information.

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

There is no offer of monetary or material value for this information collection.

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

There are no assurances of confidentiality provided to the respondents for this information collection.

- 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.**

There are no questions of sensitive nature.

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

TSA receives approximately 2,000 annual requests for the LEO Flying Armed Training from territorial, tribal, federal, municipal, county, state, and authorized law enforcement agencies via e-mail or phone.

Each law enforcement agency will be required to submit the full names of their employees requesting the training, along with the agency address and the name of the individuals' supervisor. This is a one-time collection from each law enforcement agency that wishes to receive the LEO Flying Armed Training.

Each law enforcement officer will provide his/her information to TSA to help TSA determine whether or not he/she is eligible to receive training. TSA estimates, at most, each agency will spend approximately 0.0833 hours (5 minutes) to provide the information TSA needs to confirm that law enforcement officers are eligible to receive the training. This includes the follow up to confirm the information was received. TSA calculates a total annual hour burden of 166.7 hours for this PRA (2,000 officer requests x 0.0833 hours per response).

TSA uses the national average hourly loaded wage of \$44.75<sup>1</sup> for Police and Sherriff's Patrol Officers to estimate the total annual hour burden cost. TSA multiplies this wage rate by the total annual hour burden of 166.7 hours to estimate the total annual hour burden cost. TSA calculates a total annual hour burden cost of \$7,458.33 (166.7 hours x \$44.75) for law enforcement officers to provide information to TSA for purposes of this PRA.

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

There are no capital or start-up costs resulting from this collection of information.

**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.**

There are 5 TSA employee officers that respond to the program applicants (4 I-band employees and one J-band employee). According to the TSA program officer, these officers spend approximately 15 hours per week responding to applicants' requests, verifying the applicant, and sending the training material to agencies.

TSA uses a weighted average annual wage based on the 4 I-band and 1 J-band employees' salary to calculate the cost to the federal government.

TSA calculates an average annual wage of \$91,122 for the 5 TSA employee officers.

$[(1 \text{ J-band emp.} \times \$150,370) + (4 \text{ I band emp.} \times \$76,310) \div 5 \text{ total emp.}] = \$91,122$

TSA calculates an average annual weighted wage rate of \$43.81 for the 5 employees based on a standard 2,080 hours in a work year ( $\$91,122 \div 2,080 \text{ hours}$ ).

TSA estimates a total annual cost of \$34,170.75 to the Federal Government to process requests for LEO Flying Armed Training ( $\$43.81 \times 15 \text{ hours per week} \times 52 \text{ weeks per year}$ ).

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

There have been no changes in the information being collected through this program.

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<sup>1</sup> Bureau of Labor Statistics, Occupational Employment and Wages, May 2014. <http://www.bls.gov/oes/2014/may/oes333051.htm> The fully loaded wage rate is calculated using 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>

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

This information collection will not be published for statistical purposes.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

TSA will display the expiration date for OMB approval of this information collection.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.**

TSA does not request an exception to the certification of this information collection.