

INFORMATION COLLECTION SUPPORTING STATEMENT

FEDERAL FLIGHT DECK OFFICER (FFDO) PROGRAM

OMB Control Number 1652-0011

Exp. 6/30/2019

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).***

To further supplement the aviation security measures being implemented by the Transportation Security Administration (TSA), the Arming Pilots Against Terrorism Act (APATA) was enacted as Title XIV, sec. 1402(a), of the Homeland Security Act (Pub. L. 107-296, 116 Stat. 2135, 2300, Nov. 25, 2002), as amended by Title VI, sec. 609(b), of the Vision 100–Century of Aviation Reauthorization Act (Vision 100) (Pub. L. 108-176, 117 Stat. 2489, 2570, Dec. 12, 2003), as codified at 49 U.S.C. 44921. The APATA requires TSA to establish a program to deputize qualified volunteer pilots of air carriers providing passenger air transportation or intrastate air transportation as Federal law enforcement officers to defend the flight decks of aircraft of such carriers against acts of criminal violence or air piracy. Known as Federal Flight Deck Officers (FFDO), these individuals are authorized to transport and carry a firearm and use force, including deadly force, to defend the flight deck of their aircraft against acts of criminal violence or air piracy. With the enactment of Vision 100, the program was expanded to include pilots of all-cargo aircraft, as well as flight engineers and navigators on both passenger and all-cargo aircraft.

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.***

Consistent with these statutory authorities and requirements, the purpose of the FFDO program is to screen, select, train, and deputize certain qualified volunteer flight crew members of passenger and all-cargo aircraft as FFDOs, a type of Federal law enforcement officer. Information collected as the result of this renewal request is used to address the following programmatic requirements: (1) to assess the qualifications and suitability of prospective and current FFDOs; (2) to ensure the readiness of every FFDO; (3) to administer the program; and (4) for other security purposes.

Programmatic and security purposes include the requirement for FFDOs to report prescribed incidents to TSA. These reportable incidents include, but are not limited to, the discharge or drawing of a weapon, any attacks or attempted attacks on the flight deck, and the loss or damage of any weapon/ammunition. Information already collected under this authority has been used by TSA to assess the eligibility and suitability of FFDO applicants, and to create records for evidentiary, safety, and security purposes.

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.***

As required by the Government Paperwork Elimination Act (GPEA), as well as by program design, all FFDO applications are submitted and tracked electronically. Prospective FFDOs complete and submit volunteer applications via TSA's online tool located at <https://ffdo-vq.secureskies.net/>. To the extent practicable, incident reports are also collected electronically; otherwise TSA anticipates they will be collected in paper form.

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.***

The FFDO program is unique to TSA. The required information is not otherwise available.

5. ***If the collection of information has a significant impact on a substantial number of small businesses or other small entities (Item 5 of the Paperwork Reduction Act submission form), describe the methods used to minimize burden.***

This collection does not have a significant impact on a substantial number of small businesses.

6. ***Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.***

If the collection burden were reduced or eliminated, the FFDO program would not be able to function as required by statute, and air passenger safety and security would be compromised.

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).***

The FFDO program is open to any qualified volunteer flight deck crew member. The application period and ability to apply is available "24/7," in deference to the voluntary applicants' schedules and circumstances, and to facilitate access to applications and materials. TSA collects and processes this information daily in order to quickly respond to application requests. Failure to process this information in a timely way would delay eligible volunteers' entry into the program, thereby compromising aviation safety and security.

In addition, incidents need to be reported as they occur. Therefore, such incident reporting may occur more frequently than on a quarterly basis. These reportable incidents include, but are not limited to, the discharge or drawing of a weapon, any attacks or attempted attacks on the flight deck, and the loss or damage of any weapon/ammunition. Failure to keep track of such incidents would compromise aviation safety and security.

- 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.**

As required by 5 CFR 1320.8(d), TSA published in the *Federal Register* a 60-day notice for public comment on December 6, 2018 (83 FR 62879) and a 30-day notice on April 22, 2019 (84 FR 16686). Consistent with the requirements of Executive Order (E.O.) 13771, Reducing Regulation and Controlling Regulatory Costs, and E.O. 13777, Enforcing the Regulatory Reform Agenda, each notice included a specific request for comments on the extent to which this request for information could be modified to reduce the burden on respondents. TSA has received no 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.**

Consistent with the requirements in 5 CFR 1320.5(d)(2), persons accessing the online application are informed in writing that TSA will protect the records of FFDO applicants and FFDOs from public disclosure “to the full extent of the law and in accordance with required procedures.” The identity of an FFDO is considered Sensitive Security Information, pursuant to TSA regulations at 49 CFR part 1520, and protected accordingly. The forms signed by applicants authorizing release of their personal, financial, and medical information, also provide assurances that the information will be shared only with individuals who need the information to process their application. All of the personal and medical information collected from FFDO applicants and FFDOs is protected under the provisions of the Privacy Act. A Privacy Impact Assessment for the FFDO Program was published by the Department of Homeland Security (DHS) on January 10, 2008. The applicable Systems of Records Notice is DHS/TSA-013, Federal Flight Deck Officer Record System. See 75 FR 18860 (April 13, 2010).

- 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 applicant screening process could lead to individualized questions of a sensitive nature. The very nature of a program that arms and deputizes pilots and other flight crew members requires the flexibility to explore these areas in a professional manner, if and when the need arises.

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

Over the next three years, TSA estimates that up to 3,000 individuals will apply annually, or at least initiate the application process, to become an FFDO, and that each questionnaire will require approximately one hour to complete.

After each applicant completes the questionnaire, they are verbally interviewed by a TSA employee. The interview takes about 10 minutes to complete.

Thus, 3,000 respondents will carry an annual hour burden of approximately 3,500 hours (3,000 applicants x 1.17 hours).

TSA uses the a fully-loaded¹ hourly loaded wage of \$109.70² for pilots to estimate the total annual hour burden cost. TSA multiplies this wage rate by the total annual hour burden of 3,500 hours to estimate the total annual hour burden cost. TSA calculates a total annual hour burden cost of \$383,937 (\$1,151,811 over three years) for pilots to provide information to TSA for purposes of this collection of information. Table 1 summarizes these calculations.

Table 1. Public Hour Burden and Cost

Collection Activity	Number of Applications	Hour Burden per Application	Total Annual Hour Burden	Total Annual Hour Burden Cost
	A	B	C = A x B	D = C x \$109.70
FFDO Application	3,000	1	3,000	\$329,088.97
FFDO Interview		0.17	500	\$54,848.16
Total	6,000	1.17	3,500	\$383,937.13

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

There are no capital or start-up costs to this collection.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, and other expenses that would not have been incurred without this collection of information.

The cost to the government for conducting this collection of information stems from the electronic processing of up to 3,000 FFDO applications every year. TSA estimates an application will take three minutes (0.05 hours) for a TSA employee to review, for an annual

¹ A fully loaded wage rate accounts for the employer's non-compensation costs of employment, such as health and retirement benefits.

² The unweighted wage rate for Aircraft Pilots and Flight Engineers is \$72.50. BLS. May 2017 National Industry-Specific Occupational Employment and Wage Estimates. NAICS 481000 - Air Transportation. OCC 53-2010 Aircraft Pilots and Flight Engineers. Last modified March 30, 2018 (accessed July 24, 2018), https://www.bls.gov/oes/2017/May/naics3_481000.htm. TSA calculates a compensation factor by dividing the total compensation (\$28.40) by the Salaries and Wages component of compensation (\$18.77) to calculate a compensation factor of 1.51305 (\$28.40 ÷ \$18.77). BLS. Employer Costs for Employee Compensation - March 2018. Table 5. Employer costs per hour worked for employee compensation and costs as a percent of total compensation: private industry workers. Production, transportation and material moving occupations. Last modified June 8, 2018 (accessed July 24, 2018), https://www.bls.gov/news.release/archives/ecec_06082018.htm. The fully-loaded wage rate therefore is the unloaded wage rate multiplied by the compensation factor. \$109.70 = \$72.50 x 1.51305.

hour burden of 150 hours. In addition, a TSA employee will spend ten minutes (0.17 hours) to conduct the interview, for an annual hour burden of 500 hours. The total TSA annual hour burden for this collection is 650 hours.

TSA uses a fully-loaded blended wage rate of \$60.20 for TSA employees.³ TSA estimates an average annual hour burden cost of \$9,030 to review applications and \$30,100 to conduct interviews, for a total average annual hour burden cost of \$39,130 (\$117,390 over three years). Table 2 summarizes these calculations.

Table 2. TSA Hour Burden and Cost

Processing Activity	Number of Applications	Hour Burden per Application	Total Annual Hour Burden	Total Annual Hour Burden Cost
	A	B	C = A x B	D = C x \$60.20
Applications	3,000.00	0.05	150	\$9,030.03
Interviews		0.17	500	\$30,100.08
Total	6,000.00	0.22	650	\$39,130.11

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

There are no changes to the information being collected. The burden has changed due to the program office's use of actual data to verify the time to complete the application and interview.

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.

The results of this information collection will not be published.

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 claiming no such exceptions.

³ There are three I-Band and one H-Band employees doing the work of this collection; \$60.20 represents a weighted average of the wage rates for H-Band (\$40.44) and I-Band (\$66.79) employees. $\$66.20 = ([3/4] \times \$66.79) + ([1/4] \times \$40.44)$. TSA, Finance and Administration, FY2018 Modular Cost Data.