

DEPARTMENT OF HOMELAND SECURITY
Transportation Security Administration

ARMED SECURITY OFFICER LAUTENBERG CERTIFICATION

INSTRUCTIONS: In order to participate in the Transportation Security Administration (TSA) Law Enforcement/Federal Air Marshal Service (LE/FAMS) Armed Security Officer (ASO) Program candidates shall read Section I and certify in Section II. Current ASOs shall certify annually and completed forms must be stored in accordance with [TSA File Code 3400.21](#).

Section I. Purpose

Any person who has been convicted of a misdemeanor crime of domestic violence cannot lawfully possess, ship, transport, or receive firearms and/or ammunition under the provisions cited in 18 U.S.C. § 922(g)(9). Individuals whose position or application for position requires them to possess, ship, transport or receive firearms and/or ammunition are required to certify whether they have been convicted of such a crime. Knowingly providing false or fraudulent information on this form may be punishable by a fine or imprisonment, or both, under 18 U.S.C. § 1001. A "misdemeanor crime of domestic violence" is a misdemeanor under Federal, State, or Tribal law with these elements:

- (1) the use or attempted use of physical force, or threatened use of a deadly weapon; and
- (2) committed by a current or former spouse, parent, guardian of the victim, by a person with whom the victim shares a child in common,

by a person who is cohabiting with or has cohabited with the victim as a spouse, parent, guardian, or by a person similarly situated to a spouse parent, or guardian.

The term "convicted," as defined by the statute, excludes any person whose conviction has been expunged, set-aside, or pardoned or any person whose civil rights have been restored unless the pardon, expungement, or restoration of civil rights expressly prohibits the possession of firearms or ammunition.

In addition, pursuant to 18 U.S.C. § 922 (g)(8), an individual who is subject to a court order that restrains them from harassing, stalking, or threatening an intimate partner or child of such intimate partner or person, or engaging in other conduct that would place an intimate partner in reasonable fear of bodily injury to the partner or child, and was:

- (1) issued after a hearing of which such person received actual notice, and at which such person had the opportunity to participate; and
- (2) includes a finding that such person represents a credible threat to the physical safety of such intimate partner or child; or
- (3) by its terms, explicitly prohibits the use, attempted use, or threatened use of physical force against such intimate partner or child that

would reasonably be expected to cause bodily injury is subject to the same prohibitions noted above.

SECTION II. Certification

Part A. ASO Candidate

I _____ certify that I have not been convicted of a misdemeanor crime of domestic violence and I am not subject to a restraining order as defined by statute. I certify that to the best of my knowledge and belief, all of the information provided by me is true, correct, complete and made in good faith. I understand providing false or fraudulent information on this form may be punishable by a fine or imprisonment, or both, under 18 U.S.C. § 1001, and removal from the application process.

Signature

Date

Part B. ASO Annual Certification

I _____ certify that I have not been convicted of a misdemeanor crime of domestic violence and I am not subject to a restraining order as defined by statute. I certify that to the best of my knowledge and belief, all of the information provided by me is true, correct, complete and made in good faith. I understand providing false or fraudulent information on this form may be punishable by a fine or imprisonment, or both, under 18 U.S.C. § 1001, and removal from the ASO program.

Signature

Date

PRIVACY ACT STATEMENT: AUTHORITY: 49 U.S.C. § 114(f). **PRINCIPAL PURPOSE(S):** This information will be used to certify that individuals being considered for the ASO program or current ASOs are eligible to carry a firearm. **ROUTINE USE(S):** This information may be shared with another federal agency in response to its request, in connection with the hiring or retention of an employee or the issuance of a security clearance, or for routine uses identified in TSA system of records, DHS/TSA 002, Transportation Security Threat Assessment System (T-STAS). **DISCLOSURE:** Voluntary; failure to furnish the information requested on this form may result in an inability to serve as an ASO.

PAPERWORK STATEMENT ACT: This is a mandatory collection to participate in the ASO Program. The total average burden per response associated with this collection is estimated to be approximately 5 minutes. An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The control number assigned to this collection is OMB 1652- 0035, which will expire on July 31, 2019. Send comments regarding this burden estimate or collection to: TSA-11, Attention: PRA 1652-0035, 601 South 12th Street, Arlington, VA 20598-6011.