

INFORMATION COLLECTION SUPPORTING STATEMENT

Flight Training Security Program

OMB Control Number 1652-0021

Expiration Date: 07/31/2022

- 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).**

In response to the terrorist attacks of September 11, 2001 and intelligence information subsequently gathered regarding the individuals who perpetrated those attacks, Congress enacted legislation to prevent aviation training providers from providing flight training to individuals who may pose a threat to aviation or national security. See 49 USC 44939. As amended by sec. 612 of the Vision 100—Century of Aviation Reauthorization Act (Pub. L. 108-176; Dec. 12, 2003), section 44939 (1) specifies various categories of identifying information required from non-U.S. citizens and non-U.S. nationals (candidates) training in the operation of aircraft weighing more than 12,500 pounds; (2) authorizes assessment of a fee for the security threat assessment (STA); and (3) requires flight training providers to conduct a security awareness program for employees and contract employees to increase their awareness of suspicious circumstances and activities of individuals enrolling in or attending flight training. If it is determined that the candidate presents a threat to aviation or national security, DHS/TSA is required to notify the flight training provider and that person is required to immediately terminate the training. TSA issued an interim final rule (IFR) implementing these requirements in 2003. See 69 FR 56324 (Sept. 20, 2004) *codified at* 49 CFR part 1552. TSA is revising the information collection request (ICR) by changing the name of the collection from “Flight Training for Aliens and Other Designated Individuals; Security Awareness Training for Flight School Employees,” frequently referred to as the “Alien Flight Student Program” (AFSP), to “Flight Training Security.” This change to the ICR aligns with TSA’s decision to refer to the program as the Flight Training Security Program (FTSP).

- 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.**

Candidates, as defined in 49 CFR 1552.1, are required to provide TSA with identifying and training information and fingerprints when they apply for a security threat assessment. The scope of candidates covered by 49 CFR part 1552 includes all individuals applying for initial or recurrent flight training who are neither U.S. citizens nor U.S. nationals. The scope does not include individuals endorsed by the Department of Defense to receive flight training. Flights schools are also required to submit information, including information related to security awareness training for flight school employees. See 49 CFR 1552.1 for definition of “flight schools” and 49 CFR 1552.21 for definition of “flight school employee.”

TSA conducts an STA on all candidates requesting participation in a training event. The candidates submit their biographic information at <https://www.flightschoolcandidates.gov/>. There are four training event categories within the Program:

- Category 1: Training in the operation of aircraft weighing more than 12,500 pounds.
- Category 2: Training in the operation of aircraft weighing more than 12,500 pounds, for candidates who may be eligible for expedited processing because they meet certain additional criteria specified in the regulation.
- Category 3: Training in the operation of aircraft weighing 12,500 pounds or less for the following training events: an initial private pilot's certificate or other entry-level certificate, instrument rating, and multi-engine rating.
- Category 4: Training for all aircraft and who are qualified on the aircraft for which they are requesting training.

The process for the STA is different for each of the four categories. Under 49 CFR part 1552, candidates applying for a Category 1, 2, or 3 training event are required to provide fingerprints to FTSP for a Criminal History Records Check (CHRC). In general, a candidate must provide fingerprints to the FTSP only once as FTSP stores those fingerprints for subsequent STA submissions to reduce the burden on the candidate. However, there may be rare occurrences when FTSP will require a candidate to submit new fingerprints (for example, the digital fingerprint file is corrupted). Candidates applying for a Category 4 training request are not required to provide fingerprints as they are not required to undergo a CHRC as part of the STA. Any candidate who has submitted fingerprints to FTSP may be subject to recurrent criminal vetting.

Flight training providers are required to confirm that a candidate has applied for flight training and provide TSA with a photograph of the candidate when the candidate arrives for training. To facilitate information collection, candidates submit information directly to TSA via an online portal. TSA uses this information to perform STAs to determine if the candidate poses a threat to aviation or national security.

Flight training providers must also retain records of the initial and recurrent security awareness training provided to employees, for one year after the employee is no longer employed by the provider, so that TSA may inspect those records. These requirements also apply to certificated flight instructors (CFIs), who also would be required to comply with this part, regardless of whether they are providing flight instruction to non-U.S. citizens and non-U.S. nationals. See, e.g., Federal Aviation Administration Safety Team Notice dated April 20, 2020, available at <https://www.faa.gov/spans/noticeView.aspx?nid=10089>.

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.]***

As required by the Government Paperwork Elimination Act (GPEA), as well as by program design, all applicant data is submitted and tracked electronically via an internet-based portal. To the extent practicable, flight schools may electronically store records associated with this collection.

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.***

There is no other way to collect the needed information from first-time applicants and, to the extent possible, the information is retained so as not to duplicate the collection for subsequent STAs. After a candidate submits an initial training request, that information is retained by the system for use in conducting vetting for future training requests to limit the amount of information the candidate has to re-enter. Flight training providers also retain records of the initial and recurrent security awareness training provided to employees, for one year after the employee is no longer employed by the flight school, so that TSA may inspect those records.

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 information collected is consistent with the statutory requirements and there is no significant burden to 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 of information is reduced or eliminated, TSA would not be able to fulfill its Congressional mandate to prevent non-U.S. citizens and non-U.S. nationals who pose an aviation or national security threat from obtaining flight 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).***

No special circumstances exist.

- 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.**

To minimize the time and cost burden without compromising security, TSA consulted with aviation community stakeholders, as well as with the Department of Justice (the agency from which program responsibility was transferred in 2004) during development of the IFR to ensure no more information than is necessary is collected from each respondent. TSA published a 60-day notice for this collection in the Federal Register on August 25, 2021 (86 FR 47507) and received one comment. The commenter had concerns about TSA continuing to provide adequate vetting of non-U.S. citizens and non-U.S. nationals. TSA will continue to conduct security threat assessments on non-U.S. citizens and non-U.S. nationals. FAA certificate holders are also subject to terrorism checks. TSA also published a 30-day notice on January 19, 2022 (87 FR 2889). TSA did not receive a comment on the 30-day notice.

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

TSA does not provide payment or gifts 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 assurance of confidentiality to the respondents; however, all information is handled in accordance with the Privacy Act of 1974. The applicable TSA system of records notice (SORN) is DHS/TSA-002, Transportation Security Threat Assessment System, last published in the *Federal Register* on August 11, 2014 (79 FR 46862). Also, a Privacy Impact Assessment (PIA), DHS/TSA/PIA-026-Alien Flight Student Program, was published on July 28, 2014 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 is not posing questions of sensitive nature.

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

There are two categories of respondents: flight training candidates and flight training providers. TSA estimates a total of 39,496 respondents annually: 19,869 flight training candidates and 19,627 flight training providers. Non-U.S. citizens and non-U.S. national candidates are required to provide or update the biographical and biometric information as

well as information on the training itself each time they apply for flight training as described in 49 CFR part 1552.

TSA estimates the average annual number of flight training events to be 40,340 for Category 1, 2, or 3 and 19,882 for Category 4. TSA estimates it takes 45 minutes (0.75 hours) per training request application, and uses a hourly compensation rate of \$34.20 for all flight training candidates.¹ TSA multiplies the number of training events by the hourly burden per training event and candidate compensation rate to calculate the annual hour burden cost. Table 1 summarizes the burden for flight training candidates.

¹ \$34.20 = \$22.53 unloaded wage for candidates × 1.5180 compensation factor.

Bureau of Labor Statistics. (May 2020). Occupation Employment and Wage Statistics Query System. Last modified May 2020, Accessed May 27, 2021. <https://data.bls.gov/oes/#/occInd/One%20occupation%20for%20multiple%20industries>. TSA uses the 10th percentile to reflect newer pilots and experienced for recurrent training, Specific to occupational data for Commercial Pilots (SOC Code 532012) in the Nonscheduled Air Transportation (481200), Scenic and Sightseeing Transportation, Other (487900), Support Activities for Air Transportation (488100).

BLS, News Release, Employer Costs for Employee Compensation - Table 5. Employer costs per hour worked for employee compensation and costs as a percent of total compensation, production, transportation, and material moving. Note that this compensation factor corresponds to the average load factor for a civilian employee working in Production, Transportation and Material Moving occupational group published for March 2020, June 2020, September 2020, and December 2020 quarters. Accessed on May 27, 2021.

https://www.bls.gov/news.release/archives/ecec_06182020.pdf (March 2020),

https://www.bls.gov/news.release/archives/ecec_09172020.pdf (June 2020),

https://www.bls.gov/news.release/archives/ecec_12172020.pdf (September 2020),

https://www.bls.gov/news.release/archives/ecec_03182021.pdf (December 2020).

This compensation factor can include health benefits, retirement account contributions, etc. and represents the full cost of compensation to the employer (not simply the wage costs).

$$1.5180 = ((\$33.72 + \$34.38 + \$34.25 + \$35.24) \div 4) \div ((\$22.20 + \$22.58 + \$22.57 + \$23.29) \div 4)$$

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Table 1. Candidate Hour Burden Cost

Collection Activity	Responses				Annual Number of Responses	Hour Burden Per Response	Total Hour Burden	Respondent Wage	Total Hour Burden Cost
	Year 1	Year 2	Year 3	Total	a	b	c = a x b	d	e = c x d
Category 1/2/3 Training Requests	38,252	40,302	42,467	121,021	40,340	0.75	30,255	\$34.20	\$1,034,642
Category 4 Training Requests	19,934	19,882	19,830	59,646	19,882		14,912		\$509,933
Total	58,186	60,184	62,297	180,667	60,222		45,167		\$1,544,574

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Flight training providers must retain candidate training records for each flight training event. TSA estimates that it will take small or independent providers, such as CFI and flying club providers, 5 minutes (0.083 hours) to file candidate records and 1 hour for large providers. Additionally, all flight training providers are required to maintain employees' security awareness training record, which TSA estimates takes 5 minutes (0.083 hours). For both candidate and employee records, TSA uses the \$62.33 compensation rate² for CFI and flying club providers' and the \$28.80 compensation rate³ for large providers' to calculate the total hour burden cost. Table 2 summarizes these burdens.

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² \$62.33 CFI and club provider employee compensation wage = \$41.06 Unloaded Hourly Wage Rate × 1.5180 Compensation Factor.

Bureau of Labor Statistics. May 2020, Mean Annual Wage Specific to Commercial Pilots (SOC Code 532012) in Technical and Trade Schools (NAICS 611500). <https://www.bls.gov/oes/2020/May/oes532012.htm>

For CFI and flying club providers, TSA uses the employee compensation rate for administrative employees as TSA assumes these entities do not have dedicated staff for these tasks unlike larger entities.

³ \$28.80 Large Provider Administrative Compensation Wage = \$18.97 Unloaded Hourly Wage Rate × 1.5180 Compensation Factor.

Bureau of Labor Statistics. May 2020. Mean wage rate for NAICS 481200 - Non-Scheduled Air Transportation. Occupation Code 43-4000, Information and Record Clerks. https://www.bls.gov/oes/2020/may/naics4_481200.htm#43-4000

See footnote 1 for how the compensation factor is calculated.

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Table 2. Training Recordkeeping Costs

Training Activity		Records				Average Annual Records	Hour Burden Per Record	Total Hour Burden	Recordkeeping Compensation Rate	Total Hour Burden Cost
		Year 1	Year 2	Year 3	Total	a	b	c = a x b	d	e = c x d
Recordkeeping of Flight Training Requests	CFI & Club Providers	6,009	6,216	6,434	18,659	6,220	0.083	518	\$62.33	\$32,305
	Large Providers	52,177	53,968	55,863	162,008	54,003	1.000	54,003	\$28.80	\$1,555,069
Recordkeeping of Security Awareness Training	CFI & Club Providers	36,023	36,677	37,344	110,043	36,681	0.083	3,057	\$62.33	\$190,526
	Large Providers	12,630	12,859	13,093	38,582	12,861		1,072	\$28.80	\$30,862
Total		106,839	109,720	112,733	329,292	109,764		58,649		\$1,808,761

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TSA sums the hour burden costs for both flight training events and recordkeeping to estimate a total annual hour burden of 103,816 (311,448 over three years) and cost of \$3,353,335 (\$10,060,005 over three years).

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.

Non-U.S. citizen and non-U.S. national candidates for flight training are required to pay an application fee to cover the cost of their STA. Category 1, 2, and 3 applicants must pay a fee of \$130, while Category 4 applicants pay a fee of \$70. Additionally, flight training providers who train non-U.S. citizens and non-U.S. nationals must hold records on site to be inspected by TSA. TSA estimates a per record printing cost of \$0.52 for flight training event records⁴ and \$0.03 for security awareness training records.⁵ Furthermore, TSA includes the \$300 cost of a cabinet for recordkeeping for new flight training providers. TSA estimates the total annual cost burden for fees and recordkeeping to be \$7,018,816 (\$21,056,448 for the three-year period). Table 3 summarizes these calculations.

Table 3. Fees and Other Annualized Costs

Activity	Annual Number of Instances	Fee or Cost	Annualized Cost
	a	b	c = a x b
Category 1/2/3 Application Fee	40,340	\$130.00	\$5,244,222
Category 4 Application Fee	19,882	\$70.00	\$1,391,741
Annualized Flight Training Recordkeeping Cost	60,222	\$0.52	\$31,117
Annualized Security Awareness Recordkeeping Costs	49,542	\$0.03	\$1,707
Physical Storage Savings (for New Providers)	1,167 ⁶	\$300.00	\$350,029
Total	171,153		\$7,018,816

⁴ \$0.52 Printing Cost per Flight Training Event Record = \$0.034 Printer Toner Cost per Page × 15 Pages for Flight Training Record.

⁵ \$0.03 Printing Cost per Employee Training Record = \$0.034 Printer Toner Cost per Page × 1 Page for Employee Training Record.

⁶ TSA estimates 1,145 new providers in Year 1, 1,167 new providers in Year 2, and 1,188 new providers in Year 3. TSA summed the new providers in the first three years and took the average to determine the average number of providers that would purchase a file cabinet for recordkeeping.

- 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.**

TSA costs to conduct STAs are covered by the application fee applicants must pay.

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

No changes or adjustments to the collection other than the name change to the program. TSA is changing the name of the collection from “Flight Training for Aliens and Other Designated Individuals; Security Awareness Training for Flight School Employees,” frequently referred to as the “Alien Flight Student Program” (AFSP), to “Flight Training Security.”

- 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 does 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 to the certification statement.