



9110-05-P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

Intent to Request Approval from OMB of One New Public Collection of Information: Law Enforcement Officers Safety Act and Retired Badge/Credential

AGENCY: Transportation Security Administration, DHS.

ACTION: 60-day Notice.

SUMMARY: The Transportation Security Administration (TSA) invites public comment on a new Information Collection Request (ICR) abstracted below that we will submit to the Office of Management and Budget (OMB) for approval in compliance with the Paperwork Reduction Act (PRA). The ICR describes the nature of the information collection and its expected burden. This collection involves the submission of information from former employees who are interested in a Law Enforcement Officers Safety Act of 2004 (LEOSA) Identification (ID) Card, a retired badge and/or a retired credential.

DATES: Send your comments by **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Comments may be e-mailed to TSAPRA@tsa.dhs.gov or delivered to the TSA PRA Officer, Office of Information Technology (OIT), TSA-11, Transportation Security Administration, 601 South 12th Street, Arlington, VA 20598-6011.

FOR FURTHER INFORMATION CONTACT: Christina A. Walsh at the above address, or by telephone (571) 227-2062.

SUPPLEMENTARY INFORMATION:

Comments Invited

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), 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 ICR documentation will be available at <http://www.reginfo.gov> upon its submission to OMB. Therefore, in preparation for OMB review and approval of the following information collection, TSA is soliciting comments to--

(1) Evaluate whether the proposed information requirement is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of the agency's estimate of the burden;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the collection of information on those who are to respond, including using appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

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, TSA is also requesting comments on the extent to which this request for information could be modified to reduce the burden on respondents.

Information Collection Requirement

LEOSA

Under 18 U.S.C. sec. 926C, which codifies a portion of LEOSA,¹ a "qualified retired law enforcement officer" may carry a concealed firearm in any jurisdiction in the United States, regardless of State or local laws, with certain limitations and conditions. In accordance with LEOSA, the Department of Homeland Security (DHS) issued DHS Directive and Instruction Manual 257-01, *Law Enforcement Officers Safety Act* (Nov. 5, 2009). DHS Directive 257-01 requires DHS components to implement the provisions of LEOSA pertaining to qualified retired LEOs as cost-effectively and efficiently as possible consistent with the requirements and intent of the statute for LEOs formerly employed by DHS and predecessor agencies.

TSA subsequently issued TSA Management Directive (MD) 3500.1, *LEOSA Applicability and Eligibility* (Oct. 7, 2001), to implement the LEOSA statute and DHS directive. Under this MD, TSA issues photographic identification to retired LEOs who separated or retired from TSA in "good standing" and meet other qualification requirements identified in this MD.

Retired Badge/Credential

Under TSA MD 2800.11, *Badge and Credential Program*, an employee retiring from Federal service is eligible to receive a "retired badge and/or credential" if the individual: (1) was issued a badge and/or credential, (2) qualifies for a Federal annuity

¹ Pub. L. 108-277, 118 Stat. 865, July 22, 2004, codified in 18 U.S.C. 926B and 926C, as amended by the Law Enforcement Officers Safety Act Improvements Act of 2010 (Pub. L. 111-272, 124 Stat. 2855; Oct. 12, 2010) and National Defense Authorization Act for Fiscal Year 2013 (Pub. L. 112-239, 126 Stat. 1970; Jan. 2, 2013).

under the Civil Service Retirement System (CSRS) or the Federal Employees Retirement System (FERS), and (3) meets all of the other qualification requirements under the MD.²

Use of Retired Badge and/or Credential

If the employee is approved for a retired badge and/or credential, his or her badge and/or credential will be replicated by TSA and marked with the word “RETIREED,” to indicate that the retired employee no longer has the authority to perform specific official functions pursuant to law, statute, regulation or DHS Directive. In the case of a retired LEO, the individual is prohibited from using the TSA retired credential as photographic identification for the purposes of the LEOSA.

Purpose and Description of Data Collection

Under TSA’s current application process for these two programs, qualified applicants may apply for a LEOSA ID Card, a Retired Badge, and/or a Retired Credential, as applicable, either while still employed by TSA (shortly before separating or retiring) or after they have separated or retired (after they become private citizens, *i.e.*, are no longer employed by the Federal Government).

The LEOSA Identification Card Application (TSA Form 2825A) requires collection of identifying information, contact information, official title, separation date, and last known field office. Identifying information, such as the date of birth and social security number (SSN), are necessary to confirm the individual’s identity and to process the individual through the National Crime Information Center (NCIC) database.

Similarly, for purposes of a retired badge and/or credential, TSA Form 2808, *Personal*

² These instructions are included in DHS Instruction: 121-01-002 (Issuance and Control of DHS Badges); DHS Instruction 121-01-008 (Issuance and Control of the DHS Credentials); and the associated Handbook for TSA MD 2800.11.

Identity Verification (PIV) Card, Badge, Credential or Access Control Application, requires collection of identifying information, contact information, TSA employment/position information (TSA component or Government agency), official title, and entry on duty date. This collection of information is necessary to confirm the identity of the individual, conduct the necessary qualification process to determine the individual's eligibility for a retired badge and/or credential, and to contact the individual if needed.

Based on current data, TSA estimates 32 LEOSA Application Forms 2825A and 30 Retired Badge and Credential Application Forms 2808 will be submitted, for a total of 62 respondents annually. It takes approximately 5 minutes (0.08333 hours) to complete either form, so the total annual hour burden to the public will be 62 multiplied by 0.08333 hours, or 5.17 hours.

Use of Results

TSA will use the information to conduct the qualification review for: (1) retired and separated law enforcement officers requesting LEOSA identification cards, and (2) retiring individuals requesting a retired badge and/or credential.

Dated: May 23, 2018.

Christina A. Walsh,

TSA Paperwork Reduction Act Officer,

Office of Information Technology.

[FR Doc. 2018-11509 Filed: 5/29/2018 8:45 am; Publication Date: 5/30/2018]