

foreign air carrier pursuant to this part, including information submitted in Appendix A as required by section 1511.5 of this part, may be prosecuted criminally resulting in a fine and/or imprisonment under 18 U.S.C 1001.

(b) An air carrier's or foreign air carrier's failure to comply with the requirements of 49 U.S.C. 44940 or the provisions of this part may result in a claim due the United States by the carrier, which claim shall be collectable pursuant to 31 U.S.C. Chapter 37 and the Department of Transportation's implementing regulations at 49 CFR part 89.

APPENDIX A TO PART 1511—AVIATION SECURITY INFRASTRUCTURE FEE

Instructions

General guidance

When filling out this form, the responding air carrier or foreign air carrier shall include all costs incurred in calendar year 2000 by that air carrier for the screening of passengers and property. Costs are those attributed to the screening of passengers and property in the United States for both flights within the United States and flights from the United States to foreign destinations. Reported costs must be consistent with the air carrier's financial accounting information reported in accordance with generally accepted accounting principles.

Where actual costs of screening passengers and property cannot be directly identified through an air carrier's accounting system, the air carrier shall use an appropriate alternate cost assignment methodology. Documentation that explains and supports the assignment methodology used, the applicable pool and the allocation basis must be made available upon request. For costs related to capitalized property, please report the associated depreciation expense incurred during calendar year 2000. Capitalization policy must also be made available upon request.

To the extent necessary, the reporting air carrier may aggregate those specific costs that have been incurred but cannot be stated in the detailed cost categories requested by this form. However, all of the costs identified by this form must be included in the total calculations. In addition, explanations regarding costs that have been aggregated need to be provided. Costs reported in Appendix A do not need to include costs that may have been incurred for a position higher than

those of the air carrier's director of security (or equivalent). Costs incurred for higher positions, such as those of the air carrier's chief executive officer, do not need to be included.

When including cost information on acquired and/or merged air carriers, the successor air carrier must specify the names of all of such entities whose calendar year 2000 passenger and property screening costs are included in that air carrier's submission as Appendix A.

The costs listed below are to be in US dollars, rounded to the nearest dollar. Place a zero in the appropriate box to indicate cost categories in which the air carrier did not incur costs for passenger and property screening in calendar year 2000.

Supporting Notes

Examples of cost types that appear in the supporting notes below are for illustrative purposes only and are not intended to set forth all relevant costs that must be reported by air carriers and foreign air carriers. In submitting information to TSA, air carriers and foreign air carriers must submit all of their relevant costs, regardless of whether those costs have been specifically illustrated in the notes.

Submission of Data

This form will be available electronically from the Department of Transportation's website at www.dot.gov. Air carriers are asked to return the completed form by certified mail to: Chief Financial Officer, Transportation Security Administration, Department of Transportation, 400 Seventh Street SW, Washington, DC 20590. Please also submit the same information in Microsoft Word either on a computer disk or by e-mail to TSA-Fees@ost.dot.gov.

Confidentiality of Data

Consistent with 49 CFR §1511.5(f), information submitted in Appendix A is deemed to be Sensitive Security Information and will be so protected from public disclosure under 49 U.S.C. 40119(b). In addition, confidential business information and economic information provided in Appendix A will be protected from public disclosure, as appropriate, under 5 U.S.C. §552 (the Freedom of Information Act), 14 CFR §302.12, and 18 U.S.C. §1905. Requests for confidentiality must be filed with the Office of the General Counsel, Department of Transportation (C-10), 400 Seventh Street, SW, Room 10102, Washington, DC 20590.

Calendar Year 2000 Costs for Passenger and Property Screening

Air Carrier name(s): _____ Date Form Completed: _____

	<u>Cost Categories</u>	<u>Costs Incurred Directly by Air Carriers^a</u>	<u>Costs Incurred Through Security Firm Contracts^b</u>	<u>Costs Incurred Through Other Means^c</u>	<u>Total Costs Incurred</u>
<i>A) Screening Personnel and Supervisors:</i>	1	Checkpoint Screening Personnel			
	2	Exit Lane Monitors			
	3	Cargo Screeners			
	4	Checked Baggage Screeners			
	5	Baggage Runners			
	6	Supervisory Personnel			
	7	Non-Labor Costs			
	8	Background Checks			
	9	Training and Testing			
	10	Training Records			
	11	Evaluations			
	12	Drug and Alcohol Testing and Treatment			

	<u>Cost Categories</u>	<u>Costs Incurred Directly by Air Carriers</u>	<u>Costs Incurred Through Security Firm Contracts^b</u>	<u>Costs Incurred Through Other Means^c</u>	<u>Total Costs Incurred</u>
13	Uniforms				
14	Canines				
15	Cost of Obtaining Security Clearances				
	Total for Section A				
16	Screening Equipment Installation				
17	Operating, Operational Maintenance and Testing of Installed Screening Equipment				
18	Maintenance of Sterile Areas				
19	Checkpoint Signs and Related Equipment				
20	Exceptional Screening for Persons and Property				
21	Security Company Contracts				
	Total for Section B				
22	Real Estate				
23	Utilities				
	Total for Section C				
B) Equipment and Procedures:					
C) Property and Plant:					

	<u>Cost Categories</u>	<u>Costs Incurred Directly by Air Carriers</u>	<u>Costs Incurred Through Security Firm Contracts^b</u>	<u>Costs Incurred Through Other Means^c</u>	<u>Total Costs Incurred</u>	
D) Program Management and Contract Oversight:	24	Ground Security Coordinators				
	25	Security Program Management				
	26	Security Contract Administration and Oversight				
	27	Screener/Supervisor Background Check Audits				
	28	Legal Support				
	29	Accounting Support				
	30	Other Administrative Support				
	31	Insurance				
	32	Law Enforcement Costs				
	33	Recruitment Expenses				
		Total for Section D				
	E) Security Consortium Costs:	34	Management Fees for Oversight of Consortium Contracts			
			Total for Section E			

<u>Cost Categories</u>	<u>Costs Incurred Directly by Air Carriers</u>	<u>Costs Incurred Through Security Firm Contracts</u>	<u>Costs Incurred Through Other Means</u>	<u>Total Costs Incurred</u>
F) Other: 35 Other				
<i>Total for Section F</i>				
<i>Total for all Sections:</i>				

Supporting Notes

a. These are costs that the air carrier incurred directly. Includes costs incurred for air carrier personnel salaries and benefits, equipment owned, leased or rented directly by that air carrier and any other costs directly incurred.

b. These are costs that the air carrier incurred through contracts with security firms. Includes personnel, equipment and

other costs incurred through contracts with third party security companies.

c. These are costs that the air carrier incurred through other means. Includes costs incurred through air carrier security consortiums.

1. Salary, benefits, overtime, retirement and other costs of checkpoint screening personnel.

2. Salary, benefits, overtime, retirement and other costs of exit lane monitors.

3. Salary, benefits, overtime, retirement and other costs of cargo screeners.

4. Salary, benefits, overtime, retirement and other costs of checked baggage screeners.

5. Salary, benefits, overtime, retirement and other costs of all baggage runners who move property such as baggage to and from screening areas.

6. Salary, benefits, overtime, retirement and other costs of all supervisory personnel, including Checkpoint Screening Supervisors.

7. All associated expensed non-labor costs including computers, communications equipment, time management systems, supplies, parking, identification badging, furniture, fixtures, and travel.

8. All costs of performing required background investigations on all screening personnel and supervisors. Screening personnel and supervisors includes checkpoint screening personnel, exit lane monitors, cargo screeners, checked baggage screeners, baggage runners, and their supervisors.

9. All costs incurred for the training and testing of all screening personnel and supervisors, including initial, recurrent and remedial training. Includes any computer-based training and the development of training programs for the screening of persons and property as well as any travel, room and board, and all other such expenses related to training.

10. The costs of implementing and maintaining training records for all screening personnel and supervisors.

11. The costs of completing evaluations for all screening personnel and supervisors.

12. All costs for drug and alcohol testing as well as any associated counseling and/or treatment for all screening personnel and supervisors.

13. All costs of renting, purchasing, maintaining, and/or cleaning of uniforms and any related equipment such as flashlights and batons for all screening personnel and supervisors.

14. All costs incurred by air carriers for the use of canines and their handlers used for the screening of persons and property.

15. All costs associated with obtaining security clearances for personnel relating to the screening of persons and property.

16. All costs associated with the purchase, installation, and testing of all screening equipment. In instances where the equipment is capitalized, provide the depreciation expense in lieu of costs associated with purchase, installation, and final acceptance testing. This includes such equipment as Metal Detection Devices, Hand Wands, X-ray screening machines, Explosives Trace Detection Devices, Explosives Detection Systems, or any other such similar technologies. Includes any costs incurred or depreciation

costs recognized in calendar year 2000 for the modification and/or construction of any facility needed to accommodate screening, including architecture and engineering. Also includes the costs of any refurbishment and/or modernization of the equipment.

17. Costs of operating, maintaining, and calibrating installed screening equipment. This includes such equipment as Metal Detection Devices, Hand Wands, X-ray screening machines, Explosives Trace Detection Devices, Explosives Detection Systems, or any other such similar technologies. Includes such costs as test objects and X-ray radiation surveys, electricity costs and maintenance contract costs incurred for the operations of such equipment.

18. Costs of maintaining integrity of sterile areas. Includes costs of opening sterile areas, emergency evacuations of sterile areas, and re-screenings not included elsewhere.

19. The cost of purchase or rent, installation, testing, and maintenance of checkpoint signs, barriers, lane markers, and exit lane doors.

20. Any additional costs for special screening such as for disabled passengers, VIP passengers, classified and/or high value items.

21. All security company contract costs for the screening of persons and property that cannot be detailed into any other cost category.

22. All direct costs for the real estate utilized for the screening of persons and property. Includes space at airports for the performance of these functions, as well as such space used for break rooms, private screening rooms, storage space, training rooms, and office space. Also includes appropriate space for the oversight of the screening functions outside of airports such as in headquarters or regional offices.

23. All costs for utilities used for screening. Includes electricity, heating/ventilation/cooling, and telecommunications costs not elsewhere specified.

24. All costs incurred for the Ground Security Coordinator's oversight of the screening functions. Includes personnel salaries, benefits, retirement, training, and non-labor costs.

25. All air carrier head office, regional, or airport specific costs associated with the administration and oversight of screening not elsewhere specified. Includes personnel salaries, benefits, retirement, training, and non-labor costs.

26. All costs associated with the administration and oversight of screening contracts. Includes personnel, benefits, retirement, training, and non-labor costs.

27. All costs not elsewhere specified for background audit checks for all screeners and supervisors.

28. All legal support costs incurred during calendar year 2000 relating to aviation security screening. Includes legal assistance for

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the implementation and execution of security screening contracts.

29. All costs for accounting and financial services incurred for the support of the screening functions.

30. Includes all labor and non-labor costs for such items as human resource administration, clerical assistance, information technology, and other support functions related to screening.

31. All insurance costs relating to screening. Includes worker's compensation and general liability insurance.

32. All costs incurred by the air carriers for law enforcement personnel costs that were reimbursed by the air carriers for services performed in connection with the screening of persons and property.

33. All costs associated with the recruitment of screening personnel and supervisors. Includes signing bonuses, travel, and other recruitment expenses.

34. Any costs incurred for fees charged by other organizations for the management of contracts for the screening of persons and property.

35. Any costs incurred not elsewhere specified during calendar year 2000 for the screening of passengers and property. These costs should be itemized on a separate sheet. Includes any fines or monetary penalties incurred for screening as well as any profit/bonuses paid to contractors for screening services not included elsewhere on the form.

Certification:

I certify that the information contained in this form (Appendix A-Part 1511) is true and accurate under penalty of law. Willful falsification of any information contained in this form under Part 1511 in Title 49, Chapter XII may be prosecuted criminally and result in a fine and/or imprisonment. (18 U.S.C. 1001)

Certifying Officer (signature)

Date

Print Name and Title (CEO, CFO or COO)

Telephone Number

Contact Information:

Listed below are the contact name, title, address and telephone number of the person responsible for the payment of the Aviation Security Infrastructure Fees to the Transportation Security Administration:

Name: _____

Title: _____

Address: _____

Telephone: _____

Person Who Prepared Document:

Listed below are the contact name, title, address and telephone number of the person who prepared this document:

Name: _____

Title: _____

Address: _____

Telephone: _____

PART 1515—APPEAL AND WAIVER PROCEDURES FOR SECURITY THREAT ASSESSMENTS FOR INDIVIDUALS

AUTHORITY: 46 U.S.C. 70105; 49 U.S.C. 114, 5103a, 40113, and 46105; 18 U.S.C. 842, 845; 6 U.S.C. 469.

SOURCE: 72 FR 3588, Jan. 25, 2007, unless otherwise noted.

Sec.

- 1515.1 Scope.
- 1515.3 Terms used in this part.
- 1515.5 Appeal of Initial Determination of Threat Assessment based on criminal conviction, immigration status, or mental capacity.
- 1515.7 Procedures for waiver of criminal offenses, immigration status, or mental capacity standards.
- 1515.9 Appeal of security threat assessment based on other analyses.
- 1515.11 Review by administrative law judge and TSA Final Decision Maker.

§ 1515.1 Scope.

(a) *Appeal.* This part applies to applicants who are appealing an Initial Determination of Threat Assessment or an Initial Determination of Threat Assessment and Immediate Revocation in a security threat assessment (STA) as described in each of the following:

- (1) 49 CFR part 1572 for a hazardous materials endorsement (HME) or a Transportation Worker Identification Credential (TWIC).