

Supporting Statement For
Paperwork Reduction Act Submission
For
2120-0616, Revisions to Digital Flight Data Recorder Rules

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.

On March 24, 1999, the NTSB issued the final report of its investigation into the crash of USAir flight 427. The NTSB determined the probable cause of the accident was a loss of control resulting from the movement of the rudder surface position to its blowdown limit. The NTSB stated that the 1997 regulations for upgrading DFDRs did not address this problem because they do not require specific flight control information to be recorded. Since several rudder-related events have been associated with the 737's yaw damper system, the NTSB concluded that it is important that yaw damper status, yaw damper command, standby rudder status, and control wheel, control column, and rudder pedal forces be recorded on all 737s.

On April 16, 1999, the NTSB sent two recommendations to the FAA on recording these additional parameters on all 737 DFDRs (Nos. A-99-28 and A-99-29).

The information collection activity directly supports the Department of Transportation's strategic goal on safety.

The purpose of Title 49 U.S.C. Subtitle VII - Aviation Programs is to encourage and foster the development of civil aeronautics, and to promote safety in air commerce.

Section 49 U.S.C. 40113(a) empowers the Secretary of Transportation (or the Administrator of the Federal Aviation Administration) to issue such regulations as he/she shall deem necessary to carry out the provisions of the Act.

Section 49 U.S.C. 44701 empowers the Secretary of Transportation (or the Administrator of the Federal Aviation Administration) to prescribe reasonable rules and regulations, or minimum standards necessary for safety in air commerce.

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.

In the case of a B737 airplane accident, when the flight data recorder is retrieved from the scene, the information recorded by the aircraft's recorder will be downloaded and analyzed by accident investigators at the NTSB to determine probable cause.

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.

Electronic sensors are installed in the Boeing 737 airplanes required to record the additional information. The sensors monitor yaw damper status, yaw damper command, and standby rudder valve status at specified time intervals and with specified accuracy. This information is transferred to an acquisition unit and recorder system. This is a passive and 100% electronic transaction, and is fully compliant with the Government Paperwork Elimination Act.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

Boeing began installing the equipment necessary to record the three additional parameters on all 737s it manufactured beginning in July 2000. This rule will require operators of those 737 airplanes to adopt and maintain the additional parameters as part of the flight data recording system.

5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.

This rule will impose no significant economic impact on small businesses or other small entities.

6. Describe the consequences 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.

The additional three parameters on Boeing 737 airplanes are electronically recorded for a minimum period of 25 hours of operation. The oldest information is overwritten on a continuing basis. If the collection is not conducted, when an accident occurs, the information needed to successfully identify rudder control surface movements and configuration changes or autopilot status changes will not be available to investigators. Reporting the information is not required in any form at any time.

7. Explain any special circumstances that would cause the collection to be conducted in a manner inconsistent with the guidelines in Title 5 CFR 1320.5(d)(2)(i)-(viii).

There are no special circumstances; this information collection is consistent with the guidelines in Title 5 CFR 1320.5(d)(2)(i)-(viii).

8. 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.

A notice allowing for comment was published in the Federal Register on September 19, 2008, vol. 73, no. 183, pages 54448-54449. No comments were received.

9. Explain any decision to provide any payment or gift to respondents.

We do not provide any payments or gifts.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

No information requiring confidentiality is collected.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

There are no sensitive questions in this collection of information.

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

This is electronic information that is simultaneously collected with similar electronic information. Thus, there is no additional burden associated with this passive collection of information. Data is electronically recorded for a period of 25 hours of aircraft operation. Old information is overwritten on a continuing basis.

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

There will be minimal annual cost burden because the information is not required to be maintained – except in the case of an accident or incident investigation.

14. Provide estimates of annual cost to the Federal Government and to the respondents.

With regard to the “Federal Cost of Collection”, the FAA under this rulemaking has treated this cost as a normal cost to the NTSB in pursuit of its statutory mission. Thus, no added costs were estimated for this particular element of the rulemaking.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

This is a reinstatement of an inactive collection, therefore it is a program change.

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.

Other than the information obtained from the digital flight data recorder by NTSB during the investigation of an accident, there will be no publication of this information.

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.

No such approval is sought.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB 83-1.

No exceptions to Item 19.