

Supplemental justification  
Airports Grants Program Including ARRA Requirements  
OMB 2120-0569

**A. Justification**

**1. Explanation of need for information.**

The Airport and Airway Improvement Act (AAIA) of 1982, as amended by the Airport and Airway Safety and Capacity Expansion Act of 1987 (Public Law 100-223) prescribed policies and procedures for administration and management of the Airport Improvement Program (AIP). Public Law 103-272 (July 5, 1994), Codification of Certain U.S. Transportation Laws at 49 U.S.C., repealed the Airport and Airway Improvement Act of 1982, as amended, and the Aviation Safety and Noise Abatement Act of 1979, as amended, and recodified them without substantive change at Title 49, U.S.C., which is referred to as the “Act”. The Act provides funding for airport planning and development projects at airports included in the National Plan of Integrated Airport Systems. The Act also authorizes funds for noise compatibility planning and to carry out noise compatibility programs. The information required by this program is necessary to protect the Federal interest in safety, efficiency, and utility of the Airport. Data is collected to meet report requirements of 49 CFR 18 for financial management and performance monitoring.

Information is collected in the application, and grant agreement amendments; financial management; and performance reporting.

The collection of this information supports the DOT strategic goal to: “Promote the public health and safety by working toward the elimination of transportation-related deaths and injuries” by giving the highest priority to projects that enhance the safety and security of our airport system. Other major policy objectives are advanced by assigning high priority in the award of AIP funds to projects that maintain current airport infrastructure and increase the capacity of facilities to accommodate growing passenger and cargo traffic.

**Financial Management.**

49 CFR 18 requires that recipients of Federal monies meet certain standards for financial management, performance, reporting, and audits. Information required for payment processing is submitted by sponsors and planning agencies as well as financial status reports. All data collected is in conformance with OMB standards. Data is collected on the following Federal Aviation Administration (FAA) forms, FAA Form 5100-108, All Cargo Carrier activity Report, FAA Form 5100-100, Application for Federal Assistance (Development); FAA Form 5100-101, Application for Federal Assistance (Planning); FAA Form 5100 –125, Operating and Financial Summary;

FAA Form 5100-126 Financial Government Payment report; and  
FAA Form 5370-1, Construction Progress and Inspection Report.  
Forms (to be developed), Job Creation and Retention Information

#### Performance Reporting.

Proper program management requires that information be collected about program performance. Sponsors are required to monitor performance on grant projects to ensure that time schedules are being met and performance goals are achieved.

#### Job Creation and Retention Information

Job creation and retention information, subcontract identification and amounts, and compensation of certain officers of contractors and subcontractors, as required under the American Recovery and Reinvestment Act.

### **2. Use of Information.**

#### Financial Management.

Financial reports and requests for payment are used in the grant programs' fund control process, payment process, and accounting systems. The data is used by FAA Airports personnel and accountants to ensure that grant obligations are not exceeded and revenue is not diverted. There would be great potential for revenue diversion and fraud if financial data were not collected.

#### Performance Reporting.

Performance reports are reviewed by FAA personnel to determine that project performance goals are being met. The reviews highlight changes in schedules and costs. If these reviews were not made, the Federal government would be vulnerable to unexpected costs overruns and time delays.

By submission of the forms listed above, the FAA has utilized the information in the following manner: prepared and issued grants during the fiscal year as spending levels are appropriated by Congress; amended actual dollar amounts and descriptions to reflect changes in existing grants; monitored the progress of a project and status of remaining funds in a project through financial status reports. The requested forms also serve as documentation for routine audits.

#### ARRA Job Creation and Retention Information

Job creation and retention information, subcontract identification and amounts, and compensation of certain officers of contractors and subcontractors, as required under the American Recovery and Reinvestment Act.

### **3. Use of Improved Technology.**

Automation has been introduced into the grants program. Currently the Department of Transportation is coordinating an intermodal effort to institute the acceptance of electronic forms and signatures under the Government Paperwork Elimination Act. This will have a direct effect on the sponsor reporting burden in most areas, use of electronic transmission will improve the processing of grant paperwork within the Government and make the process more responsive to sponsor needs. To aid currently preparing the grant application forms for posting on the Airports web site for use by grant sponsors.

**4. Efforts to Identify Duplications.**

Data collected from the sponsor is unique to the specific airport and project and does not exist elsewhere. Other than basic identification data, such as name and address, the information collected is unique and no similar data exists.

**5. If the collection of information involves small business or other small entities, describe the methods used to minimize the burden.**

This collection does not affect small businesses.

**6. Describe the consequence to Federal Program or policy activities if the collection were conducted less frequently.**

Annual reporting is required by Section 47107(a) of the Title 49 U.S.C. and Section 111(b) of the Federal Aviation Administration Act of 1994. Any less frequent reporting would not provide adequate financial oversight in order to monitor and detour revenue diversions.

There are absolutely no identifiable technical or legal obstacles to reducing the burden. In fact, the additional data collection efforts under ARRA are direct statutory requirements. If collection as described herein is not conducted, it will place the FAA grants in aid program outside of the statutory requirements of ARRA. Also, if information is not collected, or is collected less frequently under the American Recovery and Reinvestment Act, taxpayers would lack the transparency necessary to ensure that tax dollars are being spent in an appropriate manner.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the guidelines of 5 CFR 1320.5(d)(2).**

Collection is consistent with the guidelines in 5 CFR 1320.5(d)(2).

**8. Consultation Outside the Agency.**

A 60-day notice for public comments was published in the Federal Register on April 23, 2009, vol. 74, no. 77, pages 18605-18606. No comments were received.

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

None, Forms involve Federal grants.

**10.** Assurance of confidentiality.

No assurance of confidentiality is given.

**11.** Sensitive Questions.

No personal information is collected.

**12.** Estimate of Burden.

Specific reporting requirements are shown below keyed to sections of the AAIA, FAA Authorization Act of 1994, and Section 47107(a) of Title 49 U.S.C. The labor hour burden is estimated on an annual basis.

Section 507. Submission of Data to Determine Cargo Service Airport Apportionments. The available funds are apportioned to sponsors of airports, which are served by aircraft providing scheduled and nonscheduled service of only property with an aggregate annual landed weight in excess of 100,000 pounds. FAA Form 5100-108 is used for this purpose. A recent review of submissions revealed that approximately 75% of all responses are now made in an electronic format. The estimate provided below would only be reached if all cargo carriers reverted to paper forms.

<u>Number Responses</u>	<u>Burden Hours Per Response</u>	<u>Total Burden Hours</u>
350 (Max)	00.5	175

Section 509. Submission and Approval of Grant Applications and Section 511, Project Sponsorship. Sponsors of public use airports or public agencies may submit preapplications and/or applications for one or more projects in a form prescribed by the Secretary of the Department of Transportation. The ACIP and application must contain a list of projects for programming, airport layout sketches, a description of relocation cost, plans, and assurances, a statement describing clearing procedures and public hearings, environmental assessments, property descriptions, plans and specifications for projects, civil rights, and other assurances. FAA Form 5100-100 is used for this purpose.

<u>Number Responses</u>	<u>Burden Hours Per Response</u>	<u>Total Burden Hours</u>
2,022	28	56,616
265 (ARRA projects)	28	7,428

Section 515. Performance of Construction Work.

Construction work on any grant project is subject to the inspection and approval of the Secretary. Regulations require cost and progress reporting by the sponsor. The following burden is associated with sponsor certification of qualified engineering and construction specifications, compliance with wage regulations, and periodic performance reporting. FAA Form 5370-1 is used for this purpose.

<u>Number Responses</u>	<u>Burden Hours Per Response</u>	<u>Total Burden Hours</u>
5,689	3	17,066
265 (for ARRA projects)	3	795

Section 111(b) and 47107(a)(15). Submission of Operating and Financial

Summary. Section 111(b) required the Secretary of Transportation to issue a simplified format for reporting applicable to Airports to assist in public understanding of airport finances and to provide information concerning the amount of any revenue surplus the amount of concession generated revenue, and other information required by the Secretary. FAA Form 5100-127 is used for this purpose.

Responses From	Number of Responses	Burden Hours Per Response	Total Burden Hours
All Commercial Service Airports	520	5	2,600
Supplemental Information From Large, Medium, and Small Hub Commercial Service Airports	139	1	139
Total Burden Hours			2,739

Section 47107(a)(19) of Title 49 U.S.C. Submission of Financial Government Payment

Form. Section 47107(a)(19) requires airport owners and operators to submit to the Secretary and make available to the public an annual report listing of all amounts paid by the airport to other units of government and the purpose of payment. Airport owners or operators must also make available a listing of all services and property provided to other units of government and the amount of compensation received for the provision of each service and property. FAA Form 5100-126 is used for this purpose.

<u>Number Responses</u>	<u>Burden Hours Per Response</u>	<u>Total Burden Hours</u>
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**COMBINED SUMMARY**

<u>Paragraph/Section</u>	<u>Reporting Burden</u>
507	175
509	56,616
509 (for ARRA projects)	7,428
515	17,066
515 (for ARRA projects)	795
111(b), 47107(a) 49 U.S.C.	2,739
47107(a) 49 U.S.C., 5100-106	1,560
<b>Total</b>	<b>86,379</b>

Cost to the respondent is estimated at \$2,810,773 based on a rate of \$32.54 per hour for 86,379 hours. This hourly rate includes salary and benefits.

**13.** Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information (Do not include the cost of any hour burden shown in Items 12 and 14).

There are no additional costs not already included in number 12.

**14.** Cost Estimates.

Cost to the Federal Government is approximately \$1,366,680. This is based on the cost of collecting and analyzing the data at a rate of \$32.54 per hour for 42,000 labor hours.

**15.** Explanation of Changes.

This change increases the estimated cost burden by \$4,523.06 because it increases the reporting burden by 139 hours at the rate of \$32.54 per hour. This change is incorporated into the reporting burden above at paragraph 12 under “Section 111(b) and 47107(a)(15) Submission of Operating and Financial Summary” on the supplemental information line.

Although 550 commercial airports file this form, the FAA will require only the 30-large, 37-medium and 72-small hub airports to file the new supplemental information. We will not require the 411 non-hub commercial service airports to file the supplemental information. The supplemental information compliments the data already collected and will aid industry in their analysis of commercial service airport operations. The Airports Council International needs additional information for making comparisons within the airport community, and the Air Transport Association needs this information for its rates and charges analysis.

This change has no impact on small business because all the 139 impacted airports are owned by local governments.

**16. Publication**

The information collected is not published.

17. In seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

We are not seeking approval not to display the expiration date.

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

There are no exceptions.