



U.S. Department
of Transportation

1200 New Jersey Avenue, SE
Washington, DC 20590

**Office of the Secretary
of Transportation**

April 19, 2012

The Honorable Cass R. Sunstein
Administrator, OIRA
Office of Management and Budget
Eisenhower Executive Office Building
1650 Pennsylvania Avenue, NW
Washington, DC 20503

Dear Mr. Sunstein:

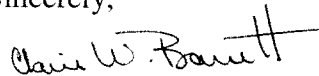
I am writing to request emergency clearance on or before April 27, 2012, for two new information collections of information that are required as a result of the FAA Modernization and Reform Act. These information collections involve the submission of tarmac delay plans to the Department of Transportation and the posting of these plans on airlines' and airports' websites.

The FAA Modernization and Reform Act, which was signed into law on February 14, 2012, requires U.S. carriers that operate scheduled passenger service or public charter service using any aircraft with a design capacity of 30 or more seats, and operators of large hub, medium hub, small hub, or non-hub U.S. airports, to submit contingency plans for lengthy tarmac delays to the Secretary of Transportation for review and approval no later than May 14, 2012. The Act also requires each covered carrier and airport to ensure public access to its plan after DOT approval by posting the plan on its website. The Department is seeking OMB approval for the submission and posting of these plans under the PRA emergency clearance process because use of the normal clearance procedures is reasonably likely to cause the May 14 statutory deadline for submission of plans to be missed. Once OMB approves of this request, the Department will issue a notice with a web address for the filing of the plans to enable covered U.S. airlines and airports to easily submit their required plans through the World Wide Web.

Although we are requesting emergency clearance, the Department believes that the Paperwork Reduction Act (PRA) does not apply to situations like this one, in which a collection of information is directly required by a self-executing statute. The Department is not adding to the statutorily-required action nor exercising any discretion with respect to the collection. The Department is merely acting, as directed by Congress, as a passive recipient of the information. Under these circumstances, the Department is not conducting or sponsoring a collection of information within the meaning of the PRA. Nevertheless, in the interest of cooperation with your office, and given the very short time available to meet the statutory deadline involved, we are issuing a *Federal Register* notice providing a description of the respondents and an estimate of the annual recordkeeping and periodic reporting burden

for the statutorily-mandated information collections and request emergency processing at this time. Thank you, in advance, for your assistance in this matter

Sincerely,

A handwritten signature in black ink that reads "Claire W. Barrett". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Claire W. Barrett
*Departmental Chief Privacy and
Information Asset Officer*