

## SUPPORTING STATEMENT A

### National Transportation Safety Board NTSB Form 6120.1: Pilot/Operator Aircraft Accident/Incident Report

#### A. JUSTIFICATION

##### 1. Circumstances that make the collection of information necessary.

The National Transportation Safety Board (NTSB) is required to investigate aviation accidents and incidents to determine their probable cause and make safety recommendations to prevent such events from occurring in the future. Title 49 United States Code (U.S.C.) §§ 1131, 1132; 49 Code of Federal Regulations (C.F.R) § 831.2. In this regard, Congress specifically directed the NTSB to classify accident and safety data, and publish such data on a periodic basis. 49 U.S.C. § 1119.

In order to fulfill these statutory obligations, the NTSB must obtain detailed information regarding the pilot and crew of the aircraft, as well as the aircraft itself, at the commencement of each investigation. Such information assists the NTSB in determining the appropriate courses of action as the investigation proceeds, and satisfies the classification and database requirements required in the NTSB's enabling statute. Information the NTSB gathers from Form 6120.1 assists the NTSB in making safety recommendations and facilitating safety improvements in the aviation industry.

##### 2. How, by whom, how frequently, and for what purpose the information will be used. 1

The NTSB will obtain completed forms from pilots or operators of aircraft who have been involved in an aircraft accident or incident, as described in 49 C.F.R. part 830. Pilots and operators can complete the form by filling out a fillable Adobe Portable Document Format (PDF) file and submitting it to the NTSB via email or fax. The NTSB will encourage submissions via email, because the NTSB's database that houses the information is designed to input the information from specific fields into the database with minimal administration from staff. The NTSB currently obtains approximately 1,800 forms per year. The frequency of required reports is solely dependent upon how frequently aviation accidents or incidents occur.

The NTSB's Office of Aviation Safety and Office of Research and Engineering use the data obtained on NTSB Form 6120.1 for both of purposes discussed above: (1) to assist with a thorough investigation and ultimate determination of the probable cause of the aviation event; and (2) to classify and organize the data received in order to fulfill the reporting requirement Congress set forth at 49 U.S.C. § 1119. Staff in both offices use the information immediately upon obtaining it from the operator or pilot of the aircraft involved in the event. The investigator in charge of overseeing the investigation of the accident or incident will carefully review all information provided on the form, and ensure investigative efforts include examining aspects of the event described in information provided on the form. Contemporaneous with this review, staff in the NTSB's Office of Aviation Safety will input the data into an NTSB database in order to fulfill the obligations set forth at 49 U.S.C. § 1119.

**3. Use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

To the greatest extent possible, the NTSB will transmit forms to operators and pilots via electronic mail, and request completed forms be returned via electronic mail. Respondents may scan completed questionnaires and return them to the NTSB via electronic mail. In the alternative, respondents may receive questionnaires via electronic mail, but elect to transmit them to the NTSB via facsimile, postal mail, or hand delivery.

**4. Duplication.**

The NTSB is the only Federal agency charged with investigating aircraft accidents and incidents, and has priority over all other agencies in this role. 49 U.S.C. § 1131(a)(2)(A) and 49 C.F.R § 831.5. Therefore, the NTSB will be the only agency distributing this accident and incident report form for completion. In accordance with 49 U.S.C. § 1132(c), the FAA will participate in NTSB investigations, and may oversee some investigative activities on behalf of the NTSB. However, in NTSB investigations, the NTSB does not permit the FAA to contact pilots or operators to solicit information, unless such contact occurs under the direct supervision of the NTSB. The NTSB's priority over aircraft accident investigations ensures no duplicative collections of information from pilots or operators will occur. As a result, the form the NTSB distributes to pilots and operators is not duplicative of any other information collection.

**5. Small businesses or other small entities.**

The NTSB will distribute the form to individuals who served as pilots on flights involved in an accident or incident, or to organizations that operate an aircraft that was involved in an accident or incident. The NTSB does not anticipate its solicitation of feedback via the form will create a significant burden for any small business or entity, because the form will take approximately 60 minutes to complete; beyond completion of the form, the NTSB will not require any recordkeeping or other similar activities.

**6. Consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

The NTSB's Office of Aviation Safety needs to obtain information from pilots and operators in order to ascertain the circumstances of the accident and proceed with its investigation. The NTSB would not be able to fulfill its statutory mandate codified at 49 U.S.C. § 1132(a) if it was unable to obtain such information. Further, the NTSB's Office of Research and Engineering must obtain the information to appropriately conduct safety analyses of events and maintain the agency's database of accidents and incidents. As a result, the NTSB would not be able to fulfill its statutory mandate codified at 49 U.S.C. § 1119 in the absence of completed forms.

**7. Special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

The NTSB will not collect the information in a manner inconsistent with OMB guidelines.

## **8. Federal Register publication.**

The NTSB published two notices in the Federal Register concerning this collection of information. See 78 Fed. Reg. 26659 (May 7, 2013) and 78 Fed. Reg. 69456 (Nov. 19, 2013). The NTSB did not receive written comments concerning the proposed renewal of OMB approval for the form. The NTSB, however, gathered ideas from the public regarding accident and incident reports during a General Aviation Listening Session that the agency held in April 2013. The NTSB incorporated some of these ideas and updated the form, as described in its second Notice. 78 Fed. Reg. 69456. The NTSB's careful consideration of the public's ideas in updating the form, combined with the agency's updates to its accident and incident database, resulted in a delay in drafting and publishing the second required notice.

## **9. Gifts or payments to respondents.**

The NTSB will not provide any gifts or payments to respondents for completion of the form.

## **10. Assurance of confidentiality.**

The NTSB will not provide any assurance of confidentiality to respondents concerning the completed questionnaires. The NTSB typically places completed forms in the public docket for each respective NTSB investigation,<sup>1</sup> as the NTSB's statute encourages disclosure of records related to each investigation. 49 U.S.C. § 1131(e). Before placing completed forms in the public dockets, however, the NTSB removes names and other personally identifiable information from each form, to include dates of birth, home addresses, airman certificate numbers, and the like.

## **11. Additional justification for questions of a sensitive nature.**

The form does not contain questions of a sensitive nature.

## **12. Estimate in hours of the burden of the collection of information.**

- The NTSB will request responses from approximately 1,800 pilots or operators per year who are involved in an aviation accident or incident.
- Completion of the form is mandatory, under 49 C.F.R. § 830.15. Therefore, the NTSB anticipates receiving 100 percent of forms the completion of which it requests.
- The NTSB estimates completion of the form will take approximately 60 minutes.
- Based on the estimate of approximately 1,800 pilots or operators per year who are involved in an aviation accident or incident, and the requirement imposed in the NTSB's regulations that all pilots or operators involved in such events complete the form, the NTSB estimates the sum of annual reporting burden hours to be 1,800 per year.

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<sup>1</sup> An NTSB "public docket" for an accident investigation is "a collection of records from an accident investigation that the investigator who oversaw the investigation of that accident has deemed pertinent to determining the probable cause of the accident." 49 C.F.R. § 801.3.

**13. Estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.**

Completion of the form does not require any record keeping, capital, start-up, or maintenance costs. Instead, completion of the form only requires approximately 60 minutes of each respondent's time, as described above.

**14. Estimates of annualized cost to the Federal government.**

The NTSB incurs costs in transmitting and collecting the forms, as well as costs in handling and analyzing the information after the NTSB receives completed forms. In initially reporting an accident or incident to the NTSB, pilots or operators first contact the nearest NTSB office by phone, or call NTSB headquarters in Washington, D.C., as described in the NTSB's regulations, at 49 C.F.R. § 830.5. The NTSB has eight regional offices throughout the United States. After speaking on the phone, an investigator may instruct the pilot or operator to complete a 6120.1 form. In transmitting the form to respondents, the NTSB opts to utilize electronic mail as much as possible, but the NTSB may, in some cases, need to transmit the form via postal mail. The NTSB estimates the total cost of investigators' initial intake of the form will be \$73,044.00 per year. This total is based on an average estimate of 1,800 forms per year, with each investigator whose time costs approximately \$40.58 per hour and who spends approximately one hour per form. In estimating one hour per form, the NTSB has considered investigators' time in all of the following duties: identifying the respondent's contact information and location; notifying the respondent and explaining the purpose of the form; delivering or transmitting the form to the respondent; and receiving the completed form and filing it.

Second, staff from the NTSB Office of Aviation Safety who handle the form after receiving it will then spend approximately 235 minutes (or 3.92 hours) per form during the course of an accident investigation; based on investigators' average salaries, the NTSB estimates this cost for time will total \$161.77 per investigation. Based on the estimate of receipt of 1,800 forms per year, the cost of investigators' review of the forms will total approximately \$291,186.00 per year. In reaching the estimate of 3.92 hours per investigation, the NTSB has considered the following duties of investigators: reviewing the form; verifying, correcting, and collecting any missing data; scanning, redacting, and loading the form into the NTSB's internal database; a peer-level investigator checking the data on the form and comparing it to other data points the NTSB has obtained in furtherance of the investigation; and a manager-level NTSB employee (whose time the NTSB has estimated to cost approximately \$45.99 per hour) conducting a quality control review and ensuring all data submitted on the form is consistent with other information in the NTSB database. Overall, staff from the Office of Aviation Safety will spend approximately 11 percent of their time in handling and overseeing entry of, the data in the NTSB database, and ensuring accuracy of the data.

Similarly, three employees in the Office of Research and Engineering will spend varying amounts of time using data from the forms. One employee spends 100 percent of her time responding to inquiries regarding the data; in particular, the Federal Aviation Administration, Congressional staff, media organizations, and other NTSB investigators request responses to inquiries regarding different aspects of NTSB investigations, and such responses require running queries in the database. In addition, another employee spends approximately 50 percent of his time analyzing the data by running reports in the database to identify potential safety issues and conducting safety studies pursuant to 49 U.S.C. § 1116(b). In addition, a third employee spends

approximately 20 percent of his time in running queries in the database to prepare for the NTSB's annual report to Congress and other required reports pursuant to 49 U.S.C. § 1116(a). Based on staff's salaries, the NTSB estimates such analyses will cost approximately \$202,704.60 per year.

Finally, the NTSB's Office of the Chief Information Officer maintains the database by ensuring it continues to function as designed and within the scope of applicable security requirements. One employee spends approximately 80 percent of her time in these duties; this cost to the Federal government totals \$84,168.80 per year.

In sum, the NTSB's estimate for the complete annualized cost to the Federal government totals \$651,103.40. As described above, most of the time NTSB employees spend with the form is for using the information provided on the form, rather than actually collecting the information.

**15. Program changes or adjustments.**

No changes or adjustments will occur to any programs.

**16. Plans for tabulation and publication of responses.**

If the NTSB receives information in questionnaires that indicates a trend or similarity, the NTSB may state certain percentages in its reports concerning accidents or incidents. For example, the NTSB may run queries in the database in which the information resides to determine the number of accidents or incidents involving certain aircraft or certain crew similarities. Such identification of trends may result in safety studies, pursuant to 49 U.S.C. § 1116. The results of safety studies often culminate in safety recommendations, which Congress has directed the NTSB to make, and to which the Department of Transportation is obligated to respond, in furtherance of the NTSB's objective of improving transportation safety. 49 U.S.C. § 1135.

As described above, the NTSB will release completed forms in its public dockets for each respective accident or incident investigation. The NTSB removes the names and other personally identifiable information from the forms before posting them in public dockets.

**17. Display of expiration date.**

The NTSB will display the expiration date of OMB approval. The NTSB does not request approval to refrain from displaying the expiration date of OMB approval for the form.

**18. Exception to certification statement in Form 83-I.**

The NTSB does not request any exception to the certification statement contained in Item 19 of OMB Form 83-I.