

**Supporting Statement for Renewal of
Paperwork Reduction Act Submission
OMB #2120-0668**

Justification for
FAA Form 1200-5
National Airspace System (NAS) Data Release Request

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.

This information must be collected to enable the FAA to evaluate the validity of the user's request for NAS data from FAA systems and equipment. This data collection is the genesis for granting approval to release filtered NAS data. The information provided sets the criteria for the FAA Data Release Request Committee (DRRC) to approve or disapprove individual requests for NAS data. FAA Order 1200.22C, Data and Interface Equipment Used By Outside Interests, paragraph 7, Policy, a-j states the FAA policy for releasing filtered NAS data to requestors (see attached).

Additional requirement: The Computer Security Act of 1987, Public Law 100-235 dated January 8, 1988.

The Department of Transportation Strategic Plan for 2000-2006 outlines the following strategic goal: *“National Security: Ensure the security of the transportation system for the movement of people and goods, and support the National Security Strategy.”*

“Critical Infrastructure Protection (PDD-63) and Protection Against Unconventional Threats to the Homeland and Americans Overseas (PDD-62) – Identify threats and vulnerabilities to the nation's critical transportation systems, establish an information sharing process, and develop effective countermeasures in coordination with the private sector and Federal, state and local agencies.”

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.

The information will be used to evaluate a user's request for filtered NAS data from FAA equipment. The DRRC will evaluate this information. The information submitted by the requestor will determine the requestor's eligibility to use FAA NAS data. The agency currently uses the collected information to determine suitability for procuring NAS data for use in various evaluations.

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, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

The collection form is posted on the program office's Internet web site for outside interests to download, fill out, and about 75% will be sent back electronically. If the supporting documentation requested with the form cannot be reproduced electronically, the outside interest shall have to supply that documentation in hard copy format. It is incumbent upon the outside interest to provide the additional supporting documentation in electronic media. The DRRC will electronically store all forms and documentation received in soft copy format. This will be accomplished to comply with the Government Paperwork Elimination Act (GPEA).

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.

This is a unique situation. The FAA only releases data for specific needs, on a case-by-case basis. This type of information does not exist in any other form since the FAA does not routinely release data to any parties unless a specific need is cited and justified. The FAA is the only government agency authorized to release FAA NAS data to requestors for commercial use and application.

5. If the collection of information impacts small businesses or other small entities, describe the methods used to minimize burden.

The form greatly reduces the burden imposed because there is no other standard available for collecting information for data requests in the FAA. The form and accompanying instructions require all requestors to provide a standardized set of documentation for data release consideration. The accompanying instructions for the form reduce the likelihood of errors when submitting a request for filtered NAS data. All FAA regions will have clear instructions to collect a standardized set of information.

6. Describe the consequence 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 FAA has always had the requirement to collect information from requestors. The information collection is necessary to determine the validity of a request. The FAA must determine on a case-by-case basis that the requestor is making a reasonable, valid request for FAA NAS data. If collection is not authorized by this form and conducted according to FAA Order 1200.22C, the policy document that governs release of filtered NAS data, standardized collection will not be instituted which will result in continued, uneven, non-standard collection of information from NAS data requestors. Data requestors are only asked to provide information pertinent to their request. The FAA will not release NAS data to any party that will not provide the required information in FAA Form 1200-5.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with 1320.5(d)(2).

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

8. Describe efforts made to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any) and the data elements to be recorded, disclosed, or reported.

We published a notice in the Federal Register January 31, 2014, vol. 79, no. 21, page 5512, to allow comment. No comments were received.

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

Some data requestors pay the FAA for this data. The vendors reimburse the FAA to maintain the hardware and software the data requestor provides, for the filtered, NAS data collection. The FAA does not provide any gifts or make any payments to the respondents.

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

FAA policy provides for confidentiality of all information collected for this particular process. The agency does not routinely grant access to its NAS data, and all requests are treated confidentially, with only pertinent, interested parties involved in reviewing the data. As an existing system that does not contain public personally identifiable information, 2120-0668 does not require a Privacy Impact Assessment.

11. Provide 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 questions asked that query the requestor about her/his sexual behavior and attitudes, religious beliefs, and other private matters, since this information is not germane to requesting NAS data for vendors' use.

12. Provide estimates of the hour burden of the collection of information. This statement should: Provide number of respondents, frequency of response, annual burden, and an explanation of how the burden was estimated.

The data requestor will need approximately one and a half to three hours to supply the information requested on Form 1200-5. The data requestor will fill out the form him/herself and provide the requested additional documentation from her/his company

records. There are three Service Areas in the FAA. Typically, each Service Area will receive three requests per year. This is a total of nine requests per year for the entire FAA. The annual burden on the requestors is approximately 27 hours totaled for all three Service Areas. The time and cost to each individual requestor is estimated to be 3 hours and \$145.00, respectively.

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

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

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses, and any other expense that would not have been incurred without this collection of information.

Cumulative total cost to the Federal Government: **\$230,204.16**

See the breakdown below:

Regional Costs:

One Grade 13, step 5 - FTE @ \$37.27/hour
(OPM pay schedule: http://www.opm.gov/oca/08tables/html/g_s_h.asp)

$(\$37.27) \times (8 \text{ hours}) = \$298.16/\text{service area for one request.}$

$\$298.16 \times 3 = \894.48 for three service areas

Processing Time:

$(8 \text{ hours}) \times (5 \text{ requests}) \times (3 \text{ FAA Service Areas}): 8 \times 5 \times 3 = 120 \text{ hours}$

$\$894.48 \times 120 = \$107,337.60 = \text{total regional office costs}$

Data Release Request Committee:

$2 \text{ hours} \times 5 \text{ requests per region} \times 3 \text{ regions} = 30 \text{ hours}$

The DRRC will meet approximately 4 times per year.

$30 \times 4 = 120 \text{ hours}$

Total committee meeting time to review data release requests.

Processing the Committee's work:

One Grade 7, step 5 FTE @ \$17.67/hour.
(OPM pay schedule: http://www.opm.gov/oca/08tables/html/g_s_h.asp)

80 hours per quarter x 4 quarters = 320 hours

\$17.67 x 320 = \$5,654.40

\$5,654.40 x 15 requests = \$84,816.00

12 DRRC members at an average grade of GS-14, Step 5 = \$44.04/hour

\$44.04 x 12 = \$528.48

\$528.48 x 72 = \$38,050.56

(DRRC)	+	(Processing)	+	(Regions)	= Total DRRC costs
\$38,050.56	+	\$84,816.00	+	\$107,337.60	= \$230,204.16

15. Explain reasons for changes in burden, including the need for any increase.

The public cost burden has been updated to reflect the current rate. The hourly burden remains consistent.

16. For collection of information whose results will be published, outline plans for tabulation and publication.

The data request packages will not be published. Each request for data, if approved, will result in a Memorandum of Agreement (MOA) between the FAA and the data requestor. Appropriate copies shall be maintained within the FAA, both at the regional and headquarters level. The data requestor shall have a copy for her/his files.

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 exemption is requested.

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

There are no exceptions to the certification statement identified in Item 19 on OMB Form 83-1.