

JUSTIFICATION STATEMENT
High Density Traffic Airports; Slot Allocation and Transfer Methods
OMB #2120-0524

Summary of changes: The increase in the number of transactions requiring a response from 1318 to 1441 primarily is due to higher average slot transfer transaction volume at Ronald Reagan Washington National Airport (DCA). Additionally, the reservation system for unscheduled operations under 14 C.F.R. § 93.129 previously had not been included in this information collection. The higher transaction volume; additional respondent at DCA; and inclusion of the unscheduled operations reservation system results in an overall increased burden from 708 to 3,441 hours.

1. Circumstance that Makes the Collection Necessary.

The FAA has broad authority to regulate and control the use of navigable airspace of the United States. Under 49 U.S.C. § 40103, the agency is authorized to develop plans for and to formulate policy with respect to the use of navigable airspace and to assign by rule, regulation, or order the use of navigable airspace under such terms, conditions, and limitations as may be deemed necessary in order to ensure the safety of aircraft and the efficient utilization of such airspace. Also, under 49 U.S.C. 40103, the agency is further authorized and directed to prescribe air traffic rules and regulations governing the efficient utilization of the navigable airspace.

Part 93 subpart S of 14 C.F.R. permits air carrier and commuter operator slots for takeoffs and landings at DCA to be transferred for any consideration.¹ This rule also prescribes procedures for the allocation and use of slots, including a use-or-lose provision, at this airport. In addition, a procedure was adopted to allocate unused slots. Special procedures were provided for international flights and flights which fulfill obligations under the Essential Air Service Program, to ensure that a sufficient number of slots will be available for these operations. Section 93.129 of 14 C.F.R. requires an operator of an Other (unscheduled) operation at DCA to obtain a reservation from the FAA for that operation.

Generally, the information collection requirements of the rule involve the air carriers, commuter operators, or other operators notifying the FAA of their current and planned activities regarding use of the arrival and departure slots at DCA. The air carriers or commuter operators must notify the FAA of: (1) requests for confirmation of transferred slots; (2) slots required to be returned or slots voluntarily returned; (3) requests to be included in a lottery for available slots; (4) usage of slots on a bi-monthly basis; and (5) requests for short-term use of off-peak hour slots. Other operators must obtain a reservation from the FAA prior to operating an unscheduled operation.

This collection supports the Department of Transportation's strategic goal of mobility for shaping an accessible, reliable transportation system for all people, goods and regions.

2. How, By Whom, and For What Purpose the Information Is To Be Used.

The information is reported to the FAA by air carriers, commuter operators, or other persons holding a slot at DCA and other operators wishing to operate at DCA. The FAA logs, verifies, and processes the requests made by the operators.

This information is used to allocate and withdraw takeoff and landing slots at DCA, allocate unscheduled

¹ On April 5, 2000, the "Wendell H. Ford Aviation Investment and Reform Act of the 21st Century" (the "AIR 21 Act") was enacted. This Act provided for the phase-out of the High Density Rule at O'Hare International Airport on January 1, 2001, and at John F. Kennedy International Airport and LaGuardia Airport on January 1, 2007.

operation reservations, and confirm transfers of slots made among the operators. The FAA uses this information on a daily basis in order to maintain the most accurate slot base and provide air traffic control services for operations at DCA.

3. Consideration of the Use of Improved Information Technology.

A significant amount of the reporting requirements imposed by the rule involves scheduling information that the carriers already have in their computer databases. The FAA has not established a particular format for the submission of such information; therefore, the carriers do not have to alter their databases in order to meet this reporting requirement. The FAA, through automation changes, has minimized the reporting burden for the carriers. Moreover, the airline industry is one of the leaders in the use of improved information technology. The carriers are using their information technology capabilities to assist them in reducing any burden due to the information reporting requirements of this rule. Of the 16 existing slot holders required to report usage on a bi-monthly basis, all submit the necessary information electronically. These automated reports represent 100% of the slots available. In addition, the FAA has established an electronic mailbox for the submission of slot usage reports and requests for confirmation of transferred slots. Finally, reservations for unscheduled operations may be obtained through an internet or touch-tone system interface, and nearly 100% of reservations are obtained in these manners.

This is consistent with the requirements of the Government Paperwork Elimination Act (GPEA).

4. Duplication and Why Similar Information Cannot Be Used or Modified.

There is no duplication associated with the reporting requirements of this rule, and this information collected is not available from other sources.

5. Minimizing the Burden On Small Business.

Some small operators may be classified by DOT as small businesses. The large air carriers are not classified as small businesses. The burdens on the small operators are minimized because they operate fewer slots. Therefore, operators that are small businesses will have less of a reporting burden than large carriers that operate the bulk of the slots used at DCA.

The requirement that unscheduled operators obtain a reservation through the FAA's Airport Reservation Office ahead of a planned arrival or departure at DCA will have a nominal impact on small businesses, including general aviation, cargo, charter operators and other unscheduled operators. Unscheduled operators, however, are able to obtain these slots through a routine process on an FAA-maintained website.

6. Consequences of Not Conducting or Less Frequent Data Collection.

Air carriers, commuter operators, or other persons holding a slot at DCA are required to provide reports to the FAA every other month on usage of slots. This level of frequency is necessary to ensure that corrective measures can be taken in a timely fashion if the limited slots at these airports are not being utilized at least 80 percent of the time over a 2-month period.

The FAA maintains a current inventory of slots at DCA. Most of the other reporting requirements (i.e., transfers and returns) occur on an as-needed basis. If this information is collected less frequently, the FAA would not be able to maintain an accurate inventory of slots used.

Reporting requirements for unscheduled operators also occurs on an as-needed basis and is initiated by the operators. If this information is collected less frequently, the FAA would not be able to plan air traffic control requirements at DCA nor manage congestion and delays at the airport.

7. Consistency of Information Collection with Guidelines in 5 CFR § 1320.5(d)(2).

This information reporting effort is consistent with the guidelines in 5 CFR § 1320.5 (d)(2) with the exception of the one reporting burden which occurs once every other month. This level of frequency is necessary to ensure that corrective measures can be taken in a timely fashion if the limited slots at this high density airport is not being utilized at least 80 percent of the time over a 2-month period, as required under 14 CFR § 93.227.

8. Solicitation of Comments and Outside Consultation.

Since 1969, the FAA has amended this rule through "notice and comment" rulemaking. Persons outside the agency had the opportunity to submit comments on the proposed amendments. Communications from interested parties were considered prior to final rulemaking action.

Prior to submitting this package to OMB for its triennial review, a notice was published in the Federal Register on April 14, 2014, Volume 79, #71, page 20962-20963 for a 60-day comment period. No comments were received.

9. Payments or Gifts Provided to Respondents.

The FAA does not provide any payments or gifts to the respondents associated with this collection.

10. Assurances of Confidentiality.

The rule does not require the airlines and commuter operators or other persons holding a slot at DCA to disclose confidential or sensitive information either to the FAA or to the public. Therefore, no assurances of confidentiality are required to be given. The FAA privacy officer and slot allocation subject matter experts completed an initial assessment of the program. It was determined that as an existing system that does not contain publicly personally identifiable information (PII), the slot allocation system does not need a privacy impact assessment.

11. Questions of a Sensitive Nature.

There are no questions dealing with matters of a sensitive nature in this collection of information.

12. Estimates of the Hour Burden of the Collection of Information.

The reporting burden for each subsection of the rule is presented below.

Reporting Burden

(# of responses) x (time involved) x (frequency of response) = hour burden.

Section 93.129 – Reservation system for additional (Other or unscheduled) operations

Transactions = (12 reservations/hour) x (18 hours/day) x (365 days/year) x (.033 hr.) = 2602 hrs.

Section 93.217(a)(4) - Notification of slots not used every day of the week.

This provision was deleted by AIR21 (PL 106-181).

Section 93.217(a)(5) – International operations slot request.

This provision was deleted by AIR21 (PL 106-181).

Section 93.217(a)(6) – Request for new or additional slots for international operations.

This provision was deleted by AIR21 (PL 106-181).

Section 93.221(a)(3) -- Written evidence of consent for transaction.

Transactions = (1441) x (.5 hr.) = 721 hrs.

Consent is required of both parties. The burden per respondent is estimated to be half of an hour.

Section 93.224(a) - Notification of date slot returned when required.

2 x 1 hr. = 2 hrs.

Returns due to FAA withdrawal and use-or-lose returns average 2 per year. Each of these occurrences requires one hour for notification.

Section 93.224(b) -- Notification of voluntary return of slot.

(800)(.0025)(.5 hr.) = 1 hrs.

Voluntary return of slots is estimated to involve no more than one quarter of one percent of domestic slots, requiring approximately 1/2 hour for each notification.

Section 93.225(e) - Request to be included in a slot lottery.

(1 requests) x (1 lottery) x (1 hr.) = 1 hrs.

One request times one lottery per year and one hour per request.

Section 93.227(i) - Report on usage of slots (every other month).

(16 slot holders) x (1 hrs.) x (6 reports per year) = 96 hrs.

There are 16 slot holders who are required to ensure usage reports are filed with the FAA. The usage reports filed by these slot holders are estimated to require an average of 1 hour preparation each and are prepared 6 times per year.

Annual Reporting Requirement Burden

Section	Burden Hours
93.129	2,602
93.221(a)(3)	721
93.224(a)	2
93.224(b)	1
93.225(e)	1
93.227(i)	96
Total	3,441

Estimated Annualized Cost To Respondents for the Hour Burdens.

All transactions would be processed by an airline scheduler (or a general and operations manager) at a fully-burdened hourly rate of 42.95 (34.25 X 1.4).² The estimated annualized cost to respondents for the hour burdens is \$147,791

13. Total Annual Cost Burden to Respondents from the Collection of Information.

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

14. Cost to the Federal Government.

It is assumed that the information processing requirements of the government are essential of two types - logging and verification/processing. The format is a simple undertaking that is estimated to consume thirty minutes or less per occurrence. Verification or processing, though a somewhat more involved operation, still requires no more than one hour per occurrence. The preceding information requirements are divided into these two categories and are estimated to require the foregoing time period per occurrence.

The following figures reflect the annual number of transactions and the way the process works. In some cases, a submittal necessitates a notification in return. Where this is the case, the number of occurrences is followed by (n), and each occurrence triggers a process requiring an additional hour.

Logging		Verification/Processing	
Section	Occurrences	Section	Occurrences
93.217(a)(4)	0	93.217	0
93.217(a)(5)-(6)	0	93.221(a)(4)	1,441
93.221(a)(1)	1,441	93.224(a)	2
93.227(g)	0	93.224(b)	1
93.227(i)	96	93.225(e)	1
Total	1,537	Total	1,445

² U.S. Department of Labor, Bureau of Labor Statistics, Median Weekly Earnings of Full-Time Wage and Salary Workers by Detailed Occupation and Sex, 2013, available at <http://www.bls.gov/cps/cpsaat39.htm>.

Unscheduled operations reservation system: The FAA's Airport Reservation Office (ARO) receives and processes all reservation requests required under § 93.129. Based on historical experience, the FAA expects most reservations would be made through the automated system. Staffing needed to handle any manual requests and maintain the system is incorporated into the analysis. The FAA does not expect the unscheduled reservations to require new capital or equipment by the FAA because a reservation system currently exists. The FAA estimates ARO personnel spend 1 hour per day handling phone calls or adjustments at DCA.

$$(1.0 \text{ hour/day}) \times (365 \text{ days/year}) = \mathbf{365 \text{ hours}}$$

$$\text{Total Processing} = (1537 \times 0.5 \text{ hr.}) + (1445 \times 1 \text{ hr.}) + 365 \text{ hrs.} = \mathbf{2,579 \text{ hrs.}}$$

These figures reflect information processing time only and do not include the uses, such as enforcement and dispute adjudication, for which the information may be used on an expected, though irregular, basis.

All transactions would be processed by a GS-13 step 5 equivalent at a fully-burdened hourly rate of \$80.78 (57.70 X 1.4).³ Based on these figures, the labor cost to the government is estimated to be \$208,332. Additionally, the FAA estimates yearly fixed costs of \$10,000 for maintaining the unscheduled reservation system. The total cost to the government is estimated to be \$218,332.

15. Changes or Adjustments In Burden.

The increase in burden is due to an increased number of respondents because an additional carrier has introduced operations at DCA and a higher average volume of slot transfer transactions. Additionally, the reservation system for unscheduled operations under 14 C.F.R. § 93.129 previously had not been included in this information collection. The hourly burden has increased from 708 to 3,441 hours.

16. Publication of Information Collections.

The collections of information will not be published, but will be used by the FAA to allocate slots and maintain accurate records of slot transfers and holdings at DCA.

17. Seeking Approval To Not Display the Expiration Date for OMB Approval.

The FAA is not seeking approval to not display the expiration date for OMB approval of the information collection.

18. Exceptions to the Certification Statement.

There are no exceptions to the certification statement.

³ U.S. Office of Personnel Management, Salary Table 2014-DCB (includes locality pay for DC-MD-VA-WV-PA), available at https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2014/DCB_h.pdf.