

Supplemental Justification  
Airports Grants Program  
OMB 2120-0569

Terms of Clearance: OMB's previous terms of clearance asked for updates on new guidance materials for the Airport Grants Program that may affect public reporting requirements. FAA published Order 5100.38D, Airport Improvement Program (AIP) Handbook, in September 2014, and AC 150/5370-12B, Quality Management for Federally Funded Airport Construction Projects, in September 2015. Further, 2 CFR 200 became effective in December 2014, and FAA will soon publish Change 1 to Order 5100.38D to address new requirements.

A. Justification

1. Circumstances that make collection of information necessary.

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 Public Law 103-272 (July 5, 1994), Codification of Certain U.S. Transportation Laws at 49 U.S.C., repealed the Airport and Airway Improvement Act of 1982, as amended, and the Aviation Safety and Noise Abatement Act of 1979, as amended, and recodified them without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 2 CFR part 200 for certifications and representations, financial management and performance measurement.

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

The collection of this information supports the DOT Safety strategy to "improve public health and safety by reducing transportation-related fatalities and injuries for all users, working toward no fatalities across all modes of travel". 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 environmental sustainability.

Certifications and Representations.

2 CFR part 200 authorizes the FAA to require Sponsors to submit certifications and representations as required by Federal statutes or regulations. Data is collected on the following Federal Aviation Administration (FAA) forms:

FAA Form 5100-128, Agreement on State Sponsorship and Airport Sponsor Obligations – Airport Improvement Program;

FAA Form 5100-129, Construction Project Final Acceptance – Airport Improvement Program Sponsor Certification;  
FAA Form 5100-130, Drug-Free Workplace – Airport Improvement Program Sponsor Certification;  
FAA Form 5100-131, Equipment and Construction Contracts – Airport Improvement Program Sponsor Certification;  
FAA Form 5100-132, Project Plans and Specifications – Airport Improvement Program Sponsor Certification;  
FAA Form 5100-133, Real Property Acquisition – Airport Improvement Program Sponsor Certification;  
FAA Form 5100-134, Selection of Consultants – Airport Improvement Program Sponsor Certification;  
FAA Form 5100-135, Certification and Disclosure Regarding Potential Conflicts of Interest – Airport Improvement Program Sponsor Certification;

#### Financial Management.

2 CFR 200 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. 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 5100-126, Financial Government Payment report;  
FAA Form 5100-127, Operating and Financial Summary;  
FAA Form 5100-110, Request for FAA Approval of Agreement for Transfer of Entitlements;  
FAA Form 5100-136, Buy American Content Percentage Calculation Worksheet;  
FAA Form 5100-137, Buy American Preferences – Final Assembly Questionnaire;  
FAA Form 5100-138, Data Requirements for an Office of Airports Automated Weather Observation System (AWOS) Benefit Cost Analysis (BCA);  
FAA Form 5100-139, LOI Application Financial Template;  
FAA Form 5100-141, Inventory of Snow Removal Equipment; and  
FAA Form 5100-142, Sponsor Request for FAA Acknowledgment for Cold Weather Early Start.

#### Performance Measurement.

As specified in 2 CFR 200, 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. Data is collected on the following Federal Aviation Administration (FAA) forms and plans:

FAA Form 5370-1, Construction Progress and Inspection Report; and  
FAA Form 5100-140, Performance Report.  
Construction Management Plan

2. How, by whom, and for what purpose is the information used.

Certification and Representation.

2 CFR part 200 and 49 U.S.C. § 47105(d) authorizes the FAA to require Sponsors to submit certifications and representations as required by Federal statutes or regulations.

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 Measurement.

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.

3. Extent of Automated Information Collection.

Automation has been introduced into the grants program. Currently, FAA is updating its grants management database to allow airport sponsors to electronically submit grant-related information. The new grants database may be available as early as Fiscal Year 2017. 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 this effort, we will post the listed forms on the FAA web site for use by airport 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. Efforts to Minimize the Burden on Small Businesses.

This collection does not affect small businesses.

6. Impact of Less Frequent Collection of Information.

Annual reporting is required by Section 47107(a) of the Title 49 U.S.C.. Any less frequent reporting would not provide adequate financial oversight in order to monitor and detect revenue diversions.

7. Special Circumstances.

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

8. Compliance with 5 CFR 1320.8.

A 60-day notice for public comments was published in the Federal Register on December 16, 2015 (80FR78284). No comments were received.

9. Payments or Gifts to Respondents.

None, Forms involve Federal grants.

10. Assurance of Confidentiality.

No assurance of confidentiality is given.

11. Justification for Collection of Sensitive Information.

No personal information is collected.

12. Estimate of Burden Hours for Information Requested.

Specific reporting requirements are shown below keyed to sections of Section 47107(a) of Title 49 U.S.C. (49 U.S.C. § 47107(a)). The labor hour burden is estimated on an annual basis.

49 U.S.C. § 47114(c)(2). 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 x	00.5 =	175

49 U.S.C. § 47106 Submission and Approval of Grant Applications and,  
 49 U.S.C. § 47105 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 (Preapplications are not required by FAA, though some sponsors choose to submit them). 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 Forms 5100-100 and 5100-101 are used for this purpose.

<u>Number Responses</u>	<u>Burden Hours Per Response</u>	<u>Total Burden Hours</u>
2,055 x	28 =	57,540

49 U.S.C. §§ 47107 – 47142, 50101 Project Administration, Implementation and Payment

Sponsors of public use airports or public agencies are required to document aspects of project design, implementation, and closeout, including technical equipment determinations, and compliance with federal requirements, such as Buy American.

FAA Forms 5100-110, 5100-128, 5100-129, 5100-130, 5100-131, 5100-132, 5100-133, 5100-134, 5100-135, 5100-136, 5100-137, 5100-138, 5100-139, 5100-140, 5100-141, and 5100-142.

<u>Number Responses</u>	<u>Burden Hours Per Response</u>	<u>Total Burden Hours</u>
3,100 x	8 =	24,800

49 U.S.C. § 47106. 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 and the Construction Management Program are used for this purpose.

<u>Number Responses</u>	<u>Burden Hours Per Response</u>	<u>Total Burden Hours</u>
6,165 x	5 =	30,825

49 U.S.C. § 47107(a)(15). Submission of Operating and Financial Summary.

49 U.S.C. § 47107(a)(15) 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. 2014 is the most complete year we have available at this time.

Responses From	Number of Responses	Burden Hours Per Response	Total Burden Hours
All Commercial Service Airports	517 x	5 =	2,585
Supplemental Information From Large, Medium, and Small Hub Commercial Service Airports	223 x	1 =	223
Totals	<b>740</b>		<b>2,808</b>

49 U.S.C. § 47107(a)(19). Submission of Financial Government Payment Form.

Section 47107(a)(19) of Title 49 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. 2014 is the most complete year we have available at this time.

<u>Number Responses</u>	<u>Burden Hours Per Response</u>	<u>Total Burden Hours</u>
517 x	3 =	1,551

**SUMMARY**

<u>Paragraph/Section</u>		<u>Reporting Burden</u>
49 U.S.C. § 47114(c)(2)	(350)	175
49 U.S.C. § 47106	(2055)	57,540
49 U.S.C. § 47106	(6165)	30,825
49 U.S.C. § 47107(a)	(740)	2,808
49 U.S.C. § 47107(a)	(517)	1,551
49 U.S.C. §§ 47107 – 47142, 50101	(3100)	24,800
<b>Total</b>	<b>(12927)</b>	<b>117,699</b>

Cost to the respondent is estimated at \$3,829,925 based on a rate of \$32.54 per hour for 117,699 hours (32.54 x 117699 = 3829925.46). This hourly rate includes salary and benefits.

13. Estimate of Total Annual Costs to Respondents.

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

14. Estimate of Cost to the Federal Government.

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 Program Changes or Adjustments.

This adjustment incorporates an additional sixteen financial and certification-related forms for an increased burden of 55,625 hours to reporters.

16. Publication of Results of Data Collection.

The information collected is not published, except for data from Forms 5100-126/127. Airport financial data is made available per the Federal Aviation Authorization Act of 1994 to inform the public about how airports collect and disburse funds.

17. Approval for Not Displaying the Expiration Date of OMB Approval.

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

18. Exceptions to Certification Statement.

There are no exceptions.