

SUPPORTING STATEMENT

A. Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

The Secretary of Transportation is required by 49 U.S.C. § 329(b)(1) to collect and disseminate information on civil aeronautics. Other laws or acts which allow or require DOT to collect airline data to accomplish program or policy objectives are: 49 U.S.C. §§ 1153, 41708, 41709, and 41738, and the International Air Transportation Competition Act of 1979. Also the United States is obligated to provide certain aviation data to the International Civil Aviation Organization, an arm of the United Nations, to fulfill an international treaty obligation. This supplemental data collection was implemented by CAB Order 81-3-120.

2. Indicate how, by whom, and for what purpose the information is to be used. Indicate the actual use the agency has made the information received from the current collection.

The Department of Transportation acts as the conduit between the applicable U.S. air carriers (Major and National air carriers) and ICAO for supplying the U.S. portion of ICAO's world-wide aviation data base. Major air carriers have annual operating revenues of over \$1 billion. National air carriers have annual operating revenues of over \$100 million to \$1 billion.

The airlines, manufacturers of aerospace products, airports authorities, trade associations, governmental bodies, and aviation consultants are all users of ICAO data, which is the only reliable and consistent data base on world aviation. ICAO data is vital to studies in aircraft design and marketing. The sale of U.S. built aircraft is one of the most positive factors in the U.S. trade balance.

The vast majority of information that must be supplied to ICAO (over 99%), is extracted by the Department from its Form 41 data base. Nevertheless, some of ICAO's financial information requirements exceed the data that the Department collects from U.S. carriers. Therefore, the Department conducts a special collection annually to fulfill its treaty

obligation. This supplemental data collection was implemented by CAB Order 81-3-120. The degree of supplemental ICAO reporting depends on the level of the individual carrier to the Department. The supplemental ICAO reporting requires only those data elements required by ICAO which DOT cannot extract from individual carrier Form 41 submissions.

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, e.g. permitting electronic submissions of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

The Department supplies the required data to ICAO. The Office of the Assistant Secretary for Research and Technology's Bureau of Transportation Statistics issued a final rule which was published in the 75 Federal Register, No. 136, page 41580 on July 16, 2010 that requires reporting carriers to submit their recurrent reports to the Department via the internet using a comma separated values format. Carriers are able to use their browsers to upload the reports into the new system. 100% of the carriers submit the requested data via the internet using their browsers.

4. Describe efforts to identify duplication. Show specifically why similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

Over 99% of the data submitted to ICAO in fulfillment of the U.S. treaty obligation is compiled from the Department's data banks. The remaining data are supplied by the carriers in their supplemental filings. OAI has analyzed other potential alternative sources, such as data collected at air traffic controlled airports and SEC filings. These sources are inadequate to use as a substitute for the supplemental carrier filings.

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

The Department made arrangements with ICAO to exempt all carriers that earn less than \$100 million in annual operating revenues from this reporting.

6. Describe the consequence to the Federal Program or policy activities if the collection were not collected or conducted less frequently.

The reporting requirement is annual. Failure to obtain the information on an annual basis could be viewed as an abrogation of a U.S. treaty obligation. The U.S. Department of State has supported U.S. cooperation with ICAO reporting requirements.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**
- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
- **requiring respondents to submit more than an original and two copies of any document;**
- **requiring respondents to retain records, other than health, government contracts, grant-in-aid, or tax records for more than 3 years;**
- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**
- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**
- **that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**
- **requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

The reporting requirements relating to ICAO are consistent with the guidelines in 5 CFR 1320.6.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the Agency's notice, required by 5 CFR 1320.8(d) soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to the notice and describe actions taken by the agency in response to these comments.

A 60-day notice was published on March 38, 2018 (83 FR page 13343). One comment was received. It did not pertain to this Information Collection Request and will not be addressed by the Department at this time. The 30-day Notice was published on June 6, 2018 (83 FR page 26340).

9. Explain any decision to provide any payment or gift to respondents, other than re-enumeration of contractors or grantees.

There were no payments or gifts to respondents.

10. Describe any assurances of confidentiality provided to respondents.

The ICAO Council directs that quarterly on-flight origin and destination data be kept confidential by ICAO and that only statistics which do not reveal the traffic of individual airlines will be published or released by ICAO. The Department supplies the origin and destination flight data from its data banks.

11. Are there any questions of a sensitive nature?

There are no questions of a sensitive nature.

12. Provide estimates of reporting burden.

Number of Respondents: 35

Number of Responses: 35

Total Burden per Response: 1.5 hours

Total Annual Burden: 53 hours

Carriers already have the data requested in their accounting systems, they are just extracting and providing via the internet.

13. Provide an estimate of cost to the respondents. Do not include the cost of any hour burden shown in items 12 and 14. General estimates should not include purchase of equipment or services or portions thereof made prior to October, 1995.

There are no other costs associated with this data collection.

14. Provide estimates of annualized cost to the Federal Government.

Cost to the Government is estimated to be about \$10,000 per year (GS-12 at \$30 per hour multiplied by 333 hours per year). This estimate is comprised of allocation of staff time to log in receipt of the carrier's reports, compilation of the data.

15. Explain the reasons for any program changes or adjustments in Items 12, 13 or 14 of OMB 83-I.

The decrease in respondents from 40 to 35 were due to air carrier mergers. The increase in burden hours per response increased from 40 minutes to 1.5 hours to better reflect the actual time required to compile and submit the data, in lieu of an estimate. This increased the total annual burden from 26 hours to 53 hours. Hours per response doubled so total annual burden doubled.

16. Is the information received published?

The information is not published or tabulated by DOT, but ICAO does publish various financial and traffic reports.

17. Is the agency seeking approval not to display the expiration date for OMB approval?

No.

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

There are no exceptions.

MISSION STATEMENT

The Department of Transportation (DOT) relies heavily on the financial data reported on Form 41 to fulfill its strategic plan. DOT needs to monitor and study the movement of aircraft and passengers in this new information age. DOT is committed to guide and oversee America's air transportation system today and into the future by taking note of statistical trends caused by globalization of the economy, the rise of the knowledge economy, and the pervasive nature of the information revolution.

Four economic trends impact transportation: (1) the globalization of commerce, (2) a

growing attention to logistics in the production process, (3) a greater reliance on private investment in transportation industry, and (4) the rise of competing and complementary technologies. The accelerated application of advanced information technologies, competitive techniques, and traffic flow information systems affect the transportation industry. Adoption of these information-related technologies will facilitate the collection, management, integration, and distribution of more transportation information in less time with better accuracy and broader application.