

## 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 Bureau of Transportation Statistics (BTS) collects flight performance and mishandled baggage data to create an incentive for large U.S. airlines to improve their operational performance. Before the data was collected and published, the Department of Transportation was receiving an excessive number of consumer complaints dealing with flight delays, cancellations and mishandled baggage.. One of the results of the Department requiring airlines to submit monthly mishandled baggage and on-time performance statistics and publishing a monthly Air Travel Consumer Report containing on-time and mishandled baggage statistics is that air carriers have improved their operations. The on-time performance and mishandled baggage data are used to monitor the quality of air service that large U.S. carriers provide to the flying public. The Department is submitting this request for enhancing the performance quality information collected.

On September 9, 1987, the Department issued a final rule, Airline Service Quality Performance, (52 FR 34056) requiring airlines with at least 1% domestic schedule passenger revenue to report On-time Performance and Mishandled Baggage. In March 2016, this OMB collection was renewed in ROCIS for an additional three years expiring in March 2019. At the time the collection was renewed, there were 14 carriers required to submit On-Time Performance and Mishandled Baggage reports. The Department published a new final rule for On-Time Performance and Mishandled Baggage on November 3, 2016 (81 FR 76800). The purpose of the new rule is to enhance protection for air travelers and to improve the air travel environment by expanding the pool of reporting carriers for service quality data and requiring reporting carriers to include service quality data for their domestic scheduled flights operated by their code-share partners. The new rule lowered the threshold for On-Time Performance to 0.5%, increasing the number of reporting carriers to 18 to capture a complete representation of air carrier on time performance. The new rule also requires that marketing carriers report the on-time and mishandled baggage data for the domestic codeshare flights they market. Under the previous rule, carriers were only required to report the data for flights that they operate. This additional codeshare reporting does not increase the burden hours from the previous OMB collection renewal of 2016 as the carriers originally had the data, just not required to report it.

On March 22, 2017, the Department issued a delay (82 FR 14604) for the mishandled

baggage reporting portion of the November 2016 Final Rule. This delayed the effective date of the 0.5% threshold reporting requirements for mishandled baggage to January 1, 2019. The expanded information collection by this new rule will allow the Department to collect data about smaller airlines that often serve small communities. The Department will publish this additional data to allow the public to have a more complete view of the on-time performance and mishandled baggage by all carriers.

The new requirements regarding on-time and mishandled baggage reporting will be applicable to flights operated on or after January 1, 2018.

**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 Federal Aviation Administration (FAA) uses on-time data collected and processed by BTS to pinpoint and analyze flight delays caused by air traffic control issues that are under FAA control. By being able to focus on delays that are attributed to the national aviation system and eliminating the delays that were caused by other factors such as extreme weather, air carriers operation issues or the late arrival of an aircraft delayed on a previous flight, the FAA is able to focus its attention on solving problem areas within its domain. Aircraft tail number, gate-departure time wheels-up time, wheels-down time, and gate arrival time provides FAA the times that aircraft are spending on the tarmac awaiting take-off, which enables the FAA to analyze air traffic delays.

Wheels-up and wheels-down time are used in conjunction with departure and arrival times to show the extent of ground delays. Elapsed flight time reveal delays experienced in the air. The reporting of the aircraft tail number allows the FAA to track an aircraft through the air network, which enables the FAA to study the ripple effects of delays at hub airports. Data by aircraft type allows the FAA to calculate the capacity impacted by air traffic congestion.

Further, consumers may use the on-time performance and mishandled baggage data submitted by airlines to select which carriers to fly on. Originally, on-time data and mishandled baggage report system was developed as a consumer protection reporting system. While the utility of the reporting system has gone far beyond its original purpose, it remains one of primary resources used by consumers to make air carrier selections. Since Part 234 has been effected, air carriers' quality of service has improved. . . Airline passengers are now more informed to make carrier selections based on the quality of service provided.

**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 on-time flight performance and mishandled baggage reporting requirements are in compliance with the Government Paperwork Reduction Act. In 2010, the Department issued a final rule that requires reporting carriers to submit their recurrent reports to the Department electronically using a comma separated values format or, where applicable, PDF (portable document format). 100% of reporting carriers are able to upload the reports into the new system via 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.**

The FAA's Operational Network (OPSNET) data was evaluated as a substitute data source for on-time performance. OPSNET data are collected by air traffic controllers to track air traffic control delays of 15 minutes or more. The Department determined the OPSNET cannot be used to serve the purpose of collecting on-time performance data because it captures only about 25% of delays. There is also a question concerning the accuracy of the data.

There is no similar information collection available for mishandled baggage.

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

The carriers that are required to submit on-time data are all large air carriers with at least 0.5% in annual scheduled domestic passenger revenues. The carriers that are required to submit mishandled baggage data are all large air carriers with at least 1% in annual scheduled domestic passenger revenues. Small entities do not submit Part 234 On-Time or Mishandled Baggage data.

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

Less frequent filing of on-time data would not reduce reporting burden. Airlines collect data on an individual flight segment basis. Less frequent reporting would not change this practice. On-time data can become stale over time and lose their usefulness.

If the mishandled baggage data was not collected, the public would not be able to determine which airlines are less likely to mishandle their baggage.

**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.**

Because of the time-sensitive nature of the on-time performance data, carriers submit monthly reports within 15 days after the end of the applicable month. Most of the air carriers use a computer system called the ACARS system that amasses the data for on-time reporting. ACARS allows for almost real-time data submission.

The Department requires that the mishandled baggage data be submitted monthly as this information is included in the Department's Air Travel Consumer Report to enable passengers to select which airlines to fly on based on current available information.

**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.**

An NPRM inviting public comments on the proposed changes to the reporting requirements was published in the Federal Register on May 23, 2014 (79 FR 29995). This NPRM is used for the 60 day notice. 750 comments were received from U.S. air carriers and associations, foreign air carriers and associations, consumer rights groups, travel agents and associations, airports and related industry groups and individual consumers. Four consumer rights groups supported the reporting expansion, several airlines, airports, airport associations and one airline association supported the reporting expansion and felt that it should be expanded to all U.S. air carriers. Some airlines did not support the expansion and asserted that any change to the current reporting rules were unjustified and misleading. The Department’s response referenced a September 2011 GAO report to Congress recommending the Department collect and publicize more comprehensive airline consumer data. The comments opposing expansion of the reporting carrier pool mainly focus on the burden it will place on smaller carriers. In that regard, the Department determined that there is a balance between obtaining the most useful flight performance quality data and avoiding excessive burden and cost to smaller airlines, by expanding the reporting air carrier threshold from 1% of total industry scheduled domestic passenger revenues to 0.5 %. A Final Rule was published in the Federal Register on November 3, 2016 (81 FR 76800). The Final Rule serves as the 30 day notice for this collection.

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

There are no payments or gifts to respondents.

**10. Describe any assurances of confidentiality provided to respondents.**

There are no assurances of confidentiality.

**11. Are there any questions of a sensitive nature?**

There are no questions of a sensitive nature.

**12. Provide estimates of reporting burden.**

### **Part 234 – On-Time Data**

Number of Respondents: 18

Number of Annual Respondents: 216

Total Burden Per Response: 10 hours

Total Annual Burden: 2160

18 carriers/respondents x 12 monthly reports (18 x 12 = 216 responses), 216 x 10 hours = 2160 total annual burden

This modification is to address the 6 new respondents in 2018 which was a result of the change in the respondent definition in the 2016 Final Rule. There was no change in the number of respondents from 2016 to 2018. 2018 is when the number of respondents increased. This modification also addresses the same respondents that must provide on-time data for their codeshare flights as a result of the Final Rule.

### **Part 234.6 – Mishandled Baggage**

Number of Respondents: 18

Number of Annual Respondents: 216

Total Burden Per Response: 10 hours

Total Annual Burden: 2160

18 carriers/respondents x 12 monthly reports (18 x 12 = 216 responses), 216 x 10 hours = 2160 total annual burden

1. This modification is to address the estimated 6 new respondents in 2019 as a result of a change in the respondent definition. This modification also addresses the same respondents that must provide mishandled baggage data for their codeshare flights as a result of the Final Rule. In addition, this modification addresses the requirement for reporting air carriers to separately provide data on mishandled wheelchairs and scooters which is included in the mishandled baggage report. The mishandled wheelchairs and scooters was delayed in reporting per the 82 FR 14064 issued March 22, 2017.

**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 initial set up costs for the 6 new air carriers that are required to submit data. It is estimated that there would be a total hourly burden of 3,369 hours at a labor cost of \$94.57 per hour, resulting in \$318,607 for the initial set up cost for the 6 new respondents. See 81 FR 76825 (2016 Final Rule)

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

**Federal Costs**

Manpower	\$300,000
Loading data into database, validating data for accuracy and contacting carrier for corrections.	
Information Technology	\$ 25,000
Server and Program costs	
Total Government Cost	\$325,000

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

The increase in burden hours from the last OMB renewal is caused by additional respondents that are required to report due to the reporting threshold being lowered from 1 percent to 0.5 percent of total industry scheduled domestic passenger revenues and reporting of codeshare flights, bringing the total reporting air carriers to 18. The compliance date for the On-time reporting is January 1, 2018 and the compliance date for the Mishandled Baggage is January 1, 2019 because it was delayed per 82 FR 14604 issued March 22, 2017.

**16. Is the information received published?**

Yes. DOT's Office of the Secretary publishes the monthly *Air Travel Consumer Report*. The Bureau of Transportation Statistics exhibits on-time data on its web site. See the following web sites:

<https://www.bts.gov/explore-topics-and-geography/topics/airlines-and-airports/tarmac-times>

[https://www.transtats.bts.gov/Tables.asp?DB\\_ID=120&DB\\_Name=Airline%20On-Time%20Performance%20Data&DB\\_Short\\_Name=On-Time](https://www.transtats.bts.gov/Tables.asp?DB_ID=120&DB_Name=Airline%20On-Time%20Performance%20Data&DB_Short_Name=On-Time)  
<http://www.transtats.bts.gov/ONTIME/5PctCancels.aspx>

<https://www.transtats.bts.gov/ONTIME/Index.aspx>

[http://www.transtats.bts.gov/Tables.asp?DB\\_ID=120&DB\\_Name=Airline%20On-Time%20Performance%20Data&DB\\_Short\\_Name=On-Time](http://www.transtats.bts.gov/Tables.asp?DB_ID=120&DB_Name=Airline%20On-Time%20Performance%20Data&DB_Short_Name=On-Time)

**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.**

We are not seeking approval to not display the OMB expiration date on the data.

**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 on the on-time flight performance data to fulfill its strategic plan. The DOT monitors and studies the movement of aircraft through the national air space system to ensure safe and efficient operations. DOT is committed to guiding and overseeing America's air transportation system today and into the future by recognizing statistical trends that identify recurring delays and bottlenecks in air traffic control.

DOT is committed to developing transportation policies and programs that foster fast, safe, efficient, and convenient transportation at the lowest cost. On-time data are used in assessing long-term air traffic control and airport development needs. Air traffic delays cost the airline industry, air travelers, and the government billions of dollars each year. ATA estimates that its annual cost for delays is over \$9.1 billion (see <http://airlines.org/data/per-minute-cost-of-delays-to-u-s-airlines/>). The Department expanded the on-time data reporting system to include tarmac delays that occur before a flight is cancelled and after a flight lands at an alternate airport when there is a flight diversion. The additional information will be used by the Federal Aviation Administration (FAA) to identify problem areas within their control.

Economic growth prospers when the real economic cost of transportation is reduced. DOT recognizes that the collection of delay data is critical to identifying and solving air congestion problems effectively reducing transportation costs. DOT performs an essential role as a catalyst for improving the quality of decisions affecting the transportation sector. In this role, the Bureau of Transportation Statistics serves as a facilitator in providing missing critical data to the FAA. 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