**Supporting Statement A**
**Flight Attendant Fatigue Risk Management Plan**

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

On October 5, 2018, Congress enacted Public Law 115-254, the FAA Reauthorization Act of 2018 ("the Act"). Section 335(b) of the Act required each certificate holder operating under 14 CFR part 121 to submit/report to the FAA for review and acceptance a Fatigue Risk Management Plan (FA FRMP) for each certificate holder's flight attendants. Section 335(b) contains the required contents of the FRMP, including a rest scheme consistent with current flight time and duty period limitations and development and use of methodology to continually assess the effectiveness of the ability of the plan to improve alertness and mitigate performance errors. Section 335(b) requires that each certificate holder operating under 14 CFR part 121 shall update its FRMP every two years and submit/report the update to the FAA for review and acceptance. Further, section 335(b) of the Act requires each certificate holder operating under 14 CFR part 121 to comply with its FRMP that is accepted by the FAA.

**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.**

Air carriers operating under 14 CFR part 121 are mandated by the FAA Reauthorization Act of 2018 to submit/report the information to the FAA. Certificate holders operating under 14 CFR part 121 must submit/report to the FAA for review and acceptance a Fatigue Risk Management Plan for each certificate holder's flight attendants. The FA FRMP is reviewed and accepted by the FAA principal operations inspector (POI) responsible for oversight of the certificate holding respondent. Additionally, 14 CFR part 121 certificate holders must update its FRMP every two years and submit/report the update to the FAA for review and acceptance.

Although the information collected may be not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications.

**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.**

Air carriers required to submit the FA FRMP make use of state-of-the art automated electronic collection and data transmission techniques as the primary means of compliance with the statutory mandate to develop and submit the FA FRMP. This information collection is compliant with the Government Paperwork Elimination Act (GPEA).

There is no form involved with this collection.

**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 above.**

Similar information is not available from any other source, and FAA experience since implementation validates that there is no duplication of information reporting requirements.

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

The rule was reviewed by the FAA's Office of Policy and was determined not have a significant effect on small entities.

**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.**

Air carriers are statutorily mandated to submit the information to the FAA.

**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, medical, government contract, grant-in-aid, or tax records, for more than three 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 a 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.***

There are no special circumstances or inconsistencies in this collection.

**8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A Federal Register Notice published on November 1, 2019 (84 FR 58816), solicited public comment. No comments were received.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

There is no payment or gift to respondents.

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

No assurances of confidentiality have been provided to respondents.

**11. Provide additional 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 anticipated to entail matters commonly considered to be sensitive or private.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

Number of respondents who are air carriers under 14 CFR part 121: 70

Frequency of response per respondent: Once for initial acceptance of the FA FRMP, then every two years for submission of an updated plan.

Estimated number of hours per respondent to prepare the FA FRMP to be submitted to the FAA: 20 hours for air carriers submitting the plan for review and acceptance.

Estimated annual hour burden per respondent: 20 hours for the first year, then 5 hours every two years for update and resubmission of the plan.

Total estimated hours of industry burden: 1400 hours for initial submission of the plan, and 350 hours for renewal of the plan.

**Table 1 Initial Submission of the Plan**

| Summary (Annual numbers) | **Reporting** | **Recordkeeping** | **Disclosure** |
|---|---|---|---|
| **# of Respondents** | 70 | | |
| **# of Responses per respondent** | 1 | | |
| **Time per Response** | 20 hours | | |
| **Total # of responses** | 70 | | |
| **Total burden (hours)** | 1400 Hours | | |

**Table 2 Update and Resubmission of the Plan**

| Summary (Annual numbers) | **Reporting** | **Recordkeeping** | **Disclosure** |
|---|---|---|---|

| | | | |
|---|---|---|---|
| **# of Respondents** | 70 | | |
| **# of Responses per respondent** | 1 | | |
| **Time per Response** | 5 hours | | |
| **Total # of responses** | 70 | | |
| **Total burden (hours)** | 350 Hours | | |

For the development of a new Flight Attendant Fatigue Risk Management Plan (FAFRMP), an operator must write and submit their plan to the FAA. It is estimated that the preparation of a FAFRMP will take each operator approximately 20 hours. A technical specialist would prepare the plan for submittal. The employee salary used to calculate this is equivalent to a GS-13 Salary (GS-13, Step 5 hourly wage, Kansas City Locality Pay) for an average wage of $47.66 per hour[1] with 31.4%[2] fringe benefits cost for a total of $62.76 per hour. With overhead added[3], the total salary is $70.86 per hour. The estimated cost for all of the carriers to develop a FAFRMP is $99,204 (based on 1,400 hours of work for 70 Air Carriers). The FAFRMP will need to be updated every two years. It is estimated that it will take each of the 70 Air Carriers approximately 5 hours to update their individual plans (350 Hours). Using the above described pay, it would cost the carriers approximately $24,801 to update their plans. Therefore, the maximum potential cost of this new burden for 70 new FOQA carriers during the 3 year period of this collection (1,750 hours) is $124,005.

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

Since Air Carriers already comply with Pilot Fatigue Risk Management Plans, there should be no additional costs to the carriers to implement this new requirement.

**14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.**

[1] https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/GS_h.pdf

[2] Bureau of Labor Statistics, Employer Costs for Employee Compensation – September 2018, USDL-18-1941, Released December 14, 2018

[3] Source: Cody Rice, U.S. Environmental Protection Agency, "Wage Rates for Economic Analyses of the Toxics Release Inventory Program" (June 10, 2002), https://www.regulations.gov/document?D=EPA-HQ-OPPT-2014-0650-0005.

This figure is the estimated cost for the government to approve and monitor FAFRMP programs. Typically inspectors at the GS-13 level would inspect and approve these programs. Generally, these inspectors are GS-13 (GS-13, Step 5 hourly wage, Kansas City Locality Pay) for an average wage of $47.66 per hour[4] with 31.4%[5] fringe benefits cost for a total of $62.76 per hour. With overhead added[6], the total salary is 70.86 per hour.

| FAA Staff Action | FAA Personnel | Burden Time | Burden Cost |
|---|---|---|---|
| (1) Review/Approval of Initial FAFRMP | Aviation Safety Inspector - 5 hrs x 70 operators = **350 hrs** at $71/hr = **$24,850** | 350 | $24,850 |
| (2) Review/Approval of Update to FAFRMP (Required every 2 years) | Aviation Safety Inspector- 1 hr x 70 operators = **70 hrs** at $71/hr = **$4,970** | 70 | $4,970 |
| | **Total** | **420** | **$29,820** |

**15. Explain the reasons for any program changes or adjustments.**

This is a new collection.

**16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.**

Although the information collected may be not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

[4] https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2019/GS_h.pdf

[5] Bureau of Labor Statistics, Employer Costs for Employee Compensation – September 2018, USDL-18-1941, Released December 14, 2018

[6] Source: Cody Rice, U.S. Environmental Protection Agency, "Wage Rates for Economic Analyses of the Toxics Release Inventory Program" (June 10, 2002), https://www.regulations.gov/document?D=EPA-HQ-OPPT-2014-0650-0005.

FAA is not seeking approval to not display the expiration date of OMB's approval of this collection of information.

**18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."**

There are no exceptions.