

United States Department of Transportation  
Federal Aviation Administration

SUPPORTING STATEMENT

OMB \_\_\_\_\_

Remote Identification of Unmanned Aircraft Systems -  
Application for FAA-Recognized Identification Areas

**INTRODUCTION**

The Department of Transportation (DOT) submits this draft Supporting Statement to the Office of Management and Budget (OMB) in preparation for requesting an approval for information collections related to the proposed rule titled “Remote Identification of Unmanned Aircraft Systems” (Remote Identification rule) (RIN 2120-AL31). DOT requests this information collection approval include information a community based organization would submit to the Federal Aviation Administration (FAA) when it requests establishment of, or renewal of the establishment of, a flying site as an FAA-recognized identification area, where unmanned aircraft systems (UAS) without remote identification can operate. With certain limited exceptions, the Remote Identification rule would prohibit the operation of UAS within the airspace of the United States unless they transmit certain remote identification message elements. Operations of UAS without remote identification would be limited to FAA-recognized identification areas.

**A. JUSTIFICATION**

**1. *Circumstances that make the collection of information necessary.***

The FAA is integrating UAS operations into the airspace of the United states through a phased, incremental, and risk-based approach. An important next step in the integration process is the promulgation of regulatory requirements to enable the remote identification of UAS operating in the airspace of the United States. Remote identification of UAS is necessary to ensure public safety and the safety and efficiency of the airspace of the United States. In section 2202 of the FAA Extension, Safety, and Security Act of 2016, Pub. L. 114-190 (July 15, 2016), Congress directed the FAA to prepare for remote identification

through working with industry stakeholders on the development of consensus standards for remotely identifying operators and owners of UAS and associated unmanned aircraft. In section 349(a) of the FAA Reauthorization Act of 2018, Pub. L. 115-254 (Oct. 5, 2018) (49 U.S.C. 44809(f)(3)), Congress affirmed the importance of standards for remotely identifying owners and operators of UAS and associated unmanned aircraft.

The use of remote identification in UAS will provide airspace awareness to the FAA, national security agencies, and law enforcement entities, which can be used to distinguish compliant airspace users from those potentially posing a safety or security risk.

The FAA recognizes that there are existing UAS that will not meet the remote identification requirements. The FAA is proposing a means for UAS without remote identification equipment to comply with the intent of this rule. Specifically, the proposal would allow UAS to be operated in the airspace of the United States without remote identification equipment if they are operated within visual line of sight and exclusively within an FAA-recognized identification area. The intent is to minimize the regulatory burden for operators of UAS without remote identification equipment, while still meeting the identification purposes of the proposed rule. By identifying a defined location where non-remote identification equipped UAS operations would be occurring, the FAA-recognized identification area itself becomes the form of identification. In short, the establishment of FAA-recognized identification areas would provide a means for UAS without remote identification and amateur built unmanned aircraft without remote identification to be able to operate despite the rule's technological requirements.

#### *Request for Establishment*

Under the proposed rule, certain flying sites established within the programming of a community based organization (CBO) recognized by the Administrator would be eligible to become FAA-recognized identification areas to enable operations of UAS without remote identification within those sites, if they meet certain criteria and application deadlines. A CBO requesting establishment of a flying site as an FAA-recognized identification area would be required to submit an application for establishment within 12 calendar months from the effective date of the final rule. Applications would be completed online and include the following information:

- (1) The name of the community based organization making the request.
- (2) A declaration that the person making the request has the authority to act on behalf of the community based organization.
- (3) The name and contact information, including telephone number(s), of the primary point of contact for communications with the FAA.
- (4) The physical address of the proposed FAA-recognized identification area.
- (5) The latitude and longitude coordinates delineating the geographic boundaries of the proposed FAA-recognized identification area.
- (6) If applicable, a copy of any existing letter of agreement regarding the flying site.

The Administrator will assess applications for FAA-recognized identification areas and may require additional information or documentation, as needed, to supplement an application. The Administrator will approve or deny an application, and may take into consideration matters such as, but not limited to:

- (1) The effects on existing or contemplated airspace capacity.
- (2) The effect on critical infrastructure, existing or proposed manmade objects, natural objects, or the existing use of the land, within or close to the proposed FAA-recognized identification area.
- (3) The safe and efficient use of airspace by other aircraft.
- (4) The safety and security of persons or property on the ground.

#### *Amendment*

From the time of application until expiration or termination of an FAA-recognized identification area, any change to the information submitted in the application including but not limited to a change to the point of contact for the FAA-recognized identification area or a change to the community based organization's affiliation with the FAA-recognized identification area must be submitted to the FAA within 10 calendar days of the

change. The FAA is proposing to require that the information be submitted within 10 calendar days as the FAA must have the most current information regarding the FAA-recognized identification area to be able to contact the community based organization should a need arise.

If the community based organization wishes to change the geographic boundaries of the FAA-recognized identification area, the organization must submit the request to the FAA for review. The geographic boundaries of the FAA-recognized identification area will not change until they have been approved or denied by the Administrator.

### *Request for Renewal*

The FAA-recognized identification area will be in effect for 48 calendar months after the date the FAA approves the request for establishment of the FAA-recognized identification area.

A person wishing to renew an FAA-recognized identification area must submit a request for renewal no later than 120 days prior to the expiration of the FAA-recognized identification area in a form and manner acceptable to the Administrator. The process to request renewal would be the same online process used to request initial establishment.

### ***2. Indicate how, by whom, how frequently, and for what purpose the information is to be used.***

Community based organizations, that desire to obtain and maintain the benefit of being designated as an FAA-recognized identification area are required to report information to this collection. Applications would permit community based organizations recognized by the Administrator to apply for FAA-recognized identification area status.

The FAA is proposing to collect the information to provide an opportunity for operators of UAS without remote identification equipment (such as vintage, homebuilt, or other legacy aircraft manufactured before the effective date of the Remote Identification rule) to comply with the intent of the proposed rule. Supplying the necessary information to the FAA would enable the agency to determine whether certain flying sites qualify under relevant

safety, security, and eligibility criteria for establishment as FAA-recognized identification areas where UAS could operate without remote identification. The FAA will use the information to consider initial requests for FAA establishment of a flying site, requests for renewal of FAA-recognized identification areas, and amendments to requests for establishment.

If the information collection was not conducted, the FAA would not have the necessary data to make a safety determination whether to establish certain flying sites as areas where UAS without remote identification can operate. This would result in all UAS having to equip with remote identification capabilities.

***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 submission of responses, and the basis for the decision for adopting this means of collection.***

The FAA proposes to use an online process to facilitate the collection of the information to reduce the burden on the applicant for an FAA-recognized identification area. The FAA is also proposing to streamline the process by permitting a single person to request the establishment of multiple flying sites as FAA-recognized identification areas, provided that person could demonstrate that he or she has the authority to request establishment on behalf of each site.

***4. Describe efforts to identify duplication.***

The FAA does not anticipate receiving any duplicate data because there has not been any collection from this specific population before. The FAA does not presently collect information from organizations that operate flying sites. The FAA knows of no other agency collecting the same information.

***5. If the collection of information has a significant impact on a substantial number of small businesses or other small entities.***

There are no impacts on small businesses. Community based organizations are voluntary groups of individuals that exist for purposes of recreation. These organizations may hold a

business relationship, e.g., incorporated, for purposes of insurance. The FAA has limited the burden of this collection to the greatest extent possible by allowing persons representing these community based organizations to request establishment of multiple flying sites in a single application.

**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 the burden.**

The FAA has limited the impact of this information collection by requiring that FAA-recognized identification areas request to renew their establishment every 48 calendar months. This limits the burden of the information collection while continuing to ensure that information submitted is current and accurate.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with the general information collection guidelines in 5 CFR 1320.5(d)(2)**

The collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2)(i)-(viii).

**8. Describe efforts to consult persons outside the agency to obtain their views on 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.**

The FAA is providing this new information collection for public comment in the Remote Identification of Unmanned Aircraft Systems notice of proposed rulemaking (RIN 2120-AL31). The public will have an opportunity to provide input concerning the proposed information collections outlined in the notice of proposed rulemaking.

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

The respondents are not given any payments or gifts.

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

While no assurance of confidentiality to respondents would occur concerning the information respondents would submit in accordance with the proposed rule, the FAA would exercise care in handling any information that a submitter designates as proprietary. As stated in the notice of proposed rulemaking, the FAA anticipates maintaining a list of FAA-recognized identification areas at <https://www.faa.gov>.

**11. Provide additional justification for any questions of sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No information of a sensitive nature is requested or required to apply for establishment of a flying site as an FAA-recognized identification area.

**12. Provide estimates of hour burden of the collection of information.**

The FAA proposes to use an online process to facilitate the collection of the information to reduce the burden on the applicant. The application would have to be submitted within 12 calendar months from the effective date of a final rule. After that date, the number of FAA-recognized identification areas could therefore only remain the same or decrease. The term of an FAA-recognized identification area would be 48 calendar months after the date the FAA approves the request for establishment of the site. Therefore, the information collection would occur every four years. A person wishing to renew the establishment of an FAA-recognized identification area would have to submit a request for renewal no later than 120 days before the expiration date. The FAA estimates that 2,500 flying sites will apply for establishment in years 1, 5, and 9 of the 10-year analysis period.

The annual hourly burden equals the number of documents submitted (2,500) multiplied by the number of pages (4 pages), and lastly multiplied by the hours per page (0.5 hours). The following table shows the total annual hourly burden estimated for the applications for FAA-recognized identification areas during year 1.

**Table 1: Annual Hourly Burden for Applications for FAA-Recognized Identification Areas**

Year	Initial Submissions	Pages Per Submission	Average Hours Per Page	Total Hours
1	2,500	4	0.5	5,000
2				
3				
Total (Yrs 1-3)	2,500	4	0.5	5,000

Row and column totals may not sum due to rounding.

We estimate the number of respondents to total 2,500 in year 1, for a total hourly burden of 5,000 hours.

The cost burden for an applicant to complete a request to become an FAA-recognized identification area is estimated to be a total compensation wage of \$116.24 (\$58.12 per hour.)<sup>1</sup> The total cost burden equals the total number of submissions multiplied by the hours per submission, and then multiplied by the total compensation wage per hour (2,500 submissions \* 2 hours per submission \* \$58.12 per hour).

**Table 2: Annual Cost Burden for Applications for FAA-Recognized Identification Areas**

Year	Initial Submissions	Hours Per Submission	Total Compensation Per Hour	Total Cost
1	2,500	2	\$58.12	\$290,600
2				
3				
Total (Yrs 1-3)	2,500	2	\$58.12	\$290,600

Row and column totals may not sum due to rounding

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

<sup>1</sup> Based on a total compensation wage of a management analyst (U.S Bureau of Labor Statistics OCC 13-1111 (Source: [https://www.bls.gov/oes/2017/may/oes\\_nat.htm#11-0000](https://www.bls.gov/oes/2017/may/oes_nat.htm#11-0000)), and employee benefits of 31.8% (based on Table A of the Employer Costs for Employee Compensation December 2018 news release [https://www.bls.gov/news.release/archives/ecec\\_03192019.pdf](https://www.bls.gov/news.release/archives/ecec_03192019.pdf)).



There are no capital or start up costs or operation and maintenance components affiliated with the information collection.

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

The FAA estimates the number of hours for the agency to review an application to become an FAA-recognized identification area and then notify an applicant as to whether the application was approved to be five hours. The average cost to review one application is \$500.59.<sup>2</sup> The total hourly burden is 12,500, and the total cost burden is \$1.2 million.

**Table 3: Annual Hourly Burden and Cost for FAA Review of Application for an FAA-Recognized Identification Area**

Year	Initial Submissions	Average FAA Review Time (Hours)	Total Hours	Total Cost (\$500.59/ Submission)
1	2,500	5	12,500	\$1,223,700
2				
3				
Total	2,500	5	12,500	\$1,223,700

Row and column totals may not sum due to rounding.

Additionally, the FAA expects to establish a website portal in Year 1 for use by community based organizations to submit requests at a cost of \$500,000. The cost to maintain the website is estimated to be \$150,000 annually in Year 2 and Year 3.

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

<sup>2</sup> The FAA determines that 4.75 hours of the review time is by J-band personnel (fully burdened wage of \$99.19 per hour), and 0.25 hours of review is performed by a K-band manager (fully burdened hourly wage of \$117.73 per hour). Source for wages: [https://employees.faa.gov/org/staffoffices/ahr/program\\_policies/policy\\_guidance/compensation/PayTables/](https://employees.faa.gov/org/staffoffices/ahr/program_policies/policy_guidance/compensation/PayTables/). Source for benefits of 36.25 percent: <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2008/m08-13.pdf>) The total review cost equals \$500.59.

DOT proposes to collect this information in accordance with its proposed rule to permit operations of unmanned aircraft within FAA-recognized identification areas. No current program that would collect such information exists.

**16. *For collections of information who results will be published, outline plans for tabulation and publication.***

No requirement exists that would obligate DOT to publish for statistical use any information collected in accordance with this collection. The FAA would maintain a list of FAA-recognized identification areas online at <https://www.faa.gov>. However, the FAA does not intend to post the information on which these decisions of acceptance are based.

**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.***

DOT does not seek approval to refrain from displaying the expiration date of OMB approval of this proposed information collection.

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

DOT has not identified any exceptions in Item 19, OMB Form 83-I.