

## SUPPORTING STATEMENT A

### National Transportation Safety Board

#### NTSB Form 6120.1: Pilot/Operator Aircraft Accident/Incident Report

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

The National Transportation Safety Board (NTSB) is required to promulgate regulations governing the notification and reporting of civil aircraft accidents; investigate, determine, and report on the probable cause of each accident; and make safety recommendations to prevent similar accidents from occurring in the future. 49 U.S.C. §§ 1131, 1132. In coordination with the Administrator of the Federal Aviation Administration (FAA), the NTSB is also required to classify accident and safety data and publish such data on a periodic basis. 49 U.S.C. § 1119.

To fulfill these statutory obligations, the agency must obtain detailed information about the pilot, crew, aircraft, and other circumstances related to an accident at the start of each NTSB investigation. This information allows the agency to: (1) determine the appropriate course of action in an investigation; (2) make safety recommendations and facilitate safety improvements in the aviation industry; and (3) classify and publish accident and safety data.

Agency regulations require the pilot or operator of a civil aircraft (respondent), a public aircraft not operated by the Armed Forces or an intelligence agency of the United States, or a foreign aircraft to submit Form 6120.1: (1) within 10 days after an aircraft accident; (2) after 7 days if an overdue aircraft is still missing; or (3) as requested by an NTSB representative if the report is for a serious incident listed in 49 CFR § 830.5(a).

**2. How, by whom, how frequently, and for what purpose the information will be used.**<sub>1</sub>

Once received, the NTSB immediately enters the information into its database of accident and incident information, which are accessed throughout an investigation by the agency's Office

of Aviation Safety (AS) and the agency's Office of Research and Engineering to facilitate thorough investigations, classify accident and safety data, and report that data "on a periodic basis." 49 U.S.C. § 1119(b)(4). Annually, the agency publishes aviation accident statistics on its website and submits a report to Congress about the accidents it investigated. Monthly, the agency provides a data file on its website containing all of the data elements collected in the form, excluding personally identifiable information.

The agency maintains a public-facing version of the database on the agency's website. Anyone can obtain accident-specific information or information about common data elements across multiple accidents. The agency believes that aircraft operators, aircraft manufacturers, and aviation organizations frequently use the agency's monthly data file and annual statistics not only to identify safety trends and issues, but also to prioritize safety improvement efforts.

**3. Use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

The agency provides a fillable portable document format (PDF) version of the form by e-mail or through its website. A respondent may either e-mail or mail the completed form. In turn, the agency's aviation accident and incident database can extract information from the PDF submissions, reducing the need for agency personnel to enter the information manually.

**4. Efforts to identify duplication.**

The NTSB is the only Federal agency charged with investigating aircraft accidents and incidents and has priority over all other agencies in this role. 49 U.S.C. § 1131(a)(2)(A). Therefore, the NTSB will be the only agency distributing this accident and incident report form. Under 49 U.S.C. § 1132(c), the FAA participates in NTSB aircraft accident investigations, and may oversee some investigative activities on behalf of the NTSB. Nevertheless, the NTSB's priority over aircraft accident investigations ensures no duplicative collections of information

from pilots or operators. Thus, the NTSB form is not duplicative of any other information collection.

Although some background information about the pilot and aircraft involved may be available in FAA pilot, aircraft registration, and aircraft airworthiness records, there is no readily available mechanism for reliably and efficiently acquiring the information from the FAA most relevant to accident and incident investigations. Relying on FAA's records often involves searching voluminous records for certain information requested in the NTSB's form.

**5. Small businesses or other small entities.**

The agency distributes the form to pilots or organizations that operate an aircraft involved in an accident or incident. Because the form will take approximately 60 minutes to complete, the agency does not anticipate that there will be a significant burden for any small business or entity. Also, the agency does not impose recordkeeping or other disclosure requirements for the form.

**6. Consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

The agency's Office of Aviation Safety needs information from pilots and operators to ascertain the circumstances of each accident it investigates. Further, the agency's Office of Research and Engineering must obtain the information to appropriately conduct safety analyses of events and maintain the agency's database of accidents and incidents.

If the form were not used, the agency would spend significantly more resources on gathering information through piecemeal investigative efforts, such as interviews and document requests. Consequently, the burden on pilots and operators would increase by having to respond to multiple investigative requests and demands.

**7. Special circumstances.**

Special circumstances warrant the requirement that respondents prepare and submit the form in fewer than 30 days after receipt. Significant investigative activities occur within the first two weeks after an aircraft accident, and the information provided on the form facilitates the direction of those activities. Additionally, much of the form can be completed by checking boxes or providing short answers. Thus, the agency has not encountered difficulty obtaining the information within ten days after an accident, or seven days after an overdue aircraft is missing. See 49 C.F.R. § 830.15.

**8. Federal Register notice, public comments received, and consultation with persons outside the agency.**

The agency published its first Federal Register (FR) notice concerning this information collection request (ICR) on May 4, 2021. While the agency did not consult with persons outside of the agency, the NTSB received three public comments that are addressed by subject matter below:

**a. Information on the 6120.1 Form**

In a joint letter, the United States Helicopter Safety Team (USHST), Helicopter Association International (HAI), and the General Aviation Manufacturer’s Association (GAMA) altogether suggested that the NTSB add the following, in pertinent part, to the 6120.1 Form:

- 1. Landing Gear Section:** “The Landing Gear section includes options for Ski and Ski/Wheel. A considerable number of skid-equipped aircraft will be on bearpaws, which the current list will not capture. The USHST, HAI, and GAMA recommend adding a checkbox for bearpaws.”

*NTSB response:* The NTSB has not investigated an accident in which the bearpaw was a factor and thus will not add such a checkbox to Form 6120.1.

- 2. Additional Equipment Section:**

- “USHST’s analysis indicates that the most common categories of fatal rotorcraft accidents are LOC [Loss of Control], UIMC [Unintended flight in Instrument Meteorological Conditions], and [L]ALT [Low Altitude Operations]. USHST Helicopter Safety Enhancement (recommendation) 70 specifically calls for industry and the FAA to

encourage development and installation of stability augmentation systems (SAS) and or simple autopilots in light helicopters. To help track this information, the USHST, HAI, and GAMA recommend adding SAS to the Additional Equipment section.”

**NTSB response:** The NTSB believes that this idea has merit and will specify 2-Axis SAS, 3-Axis SAS, 4-Axis SAS, Coupled Flight director, and Flight Management System. Additionally, the NTSB will provide a blank space for respondent to specify models.

- The USHST, HAI, and GAMA further recommended additional “checkboxes for Night Vision Goggles (NVGs) and wire strike detection/protection.”

**NTSB response:** The wire strike protection and NVGs will be included in the Additional Equipment Section. Having this information will be helpful for statistics purposes.

- The USHST, HAI, and GAMA recommended “a checkbox for ‘supplemental restraints in the cabin,’ with a fillable field to indicate type of restraint and whether it functioned as intended.”

**NTSB response:** Supplemental restraints could be a checkbox in the flight crewmember and passenger information part of the form. It could be helpful to know for Part 133 operations, but also what other Federal aviation regulation operations are using it. (Note: The Department of Transportation Inspector General Report stated that there were 54 applicants approved out of 56 applicants to use Supplier Performance Risk System (SPRS). This would have been other than Part 133 because SPRS approval was not required for Part 133 work applications.)

- The USHST, HAI, and GAMA stated that “to advance future data analysis aimed at reducing injuries and fatalities, the USHST, HAI, and GAMA recommend adding a checkbox for ‘other protective gear (e.g., helmets, gloves, laser protective visor or glasses, fire-resistant flight suit),’ followed by a fillable field.”

**NTSB response:** The NTSB will title this as “Personal Flight Equipment” and will provide checkboxes for the following: fire resistant flight suit, fire resistant gloves, helmet, helmet visor, laser protective visor/glasses, personal flotation, personal locator beacon(s), other (with blank space for the respondent to add information).

3. **Airport Information Section:** For non-fixed wing aircraft and future technologies, the USHST, HAI, and GAMA recommended adding the following terms and definitions for helideck, heliport, helistop, and off-site landing area.

**NTSB response:** As Urban Air Mobility becomes more prominent, the terms “helideck,” “heliport,” “helistop,” and “off-site landing area” will be important and the terms will be added to Form 6120.1. While the NTSB will not provide the requested definitions on the form, the NTSB recognizes the terms as defined by FAA and the International Civil Aviation Organization.

4. **Flight Time Section:**

- The USHST, HAI, and GAMA recommended that this section “provide for specific documentation of rotorcraft single engine time, rotorcraft multi-engine time, rotorcraft instrument experience, and rotorcraft night experience. The pilot experience information can be especially useful in accident/incident analysis.”

**NTSB response:** The NTSB believes that breaking out multiengine rotorcraft has some value. For rotorcraft, it is as much of a systems management issue for the pilot as well as flying skills/training that is important, this is similar to the fixed wing (FW) pilot. A Multiengine Rotorcraft column would be appropriate because the NTSB is already breaking out multiengine FW.

- The USHST, HAI, and GAMA recommended that “the NTSB should add Skid and Rotorcraft Wheeled time.”

**NTSB response:** The NTSB does not believe that skid or wheel time on rotorcraft is important to add to Form 6120.1. Most rotorcraft landings are done at a low speed or at zero speed (vertical landing). Once on the ground, taxiing on wheels or skids is not that important to differentiate. Additionally, pilots do not normally log skid time or wheel time as separate categories. Compared to FW aircraft, landing is performed at much higher speeds and, if improperly executed, can result in a runway excursion or ground loop. Tail wheel experience on a FW airplane is important due to directional sensitivity of tail wheel aircraft while landing; and handling a tail wheel airplane on the ground is much different than a tricycle-configured airplane. Additionally, most pilots do log or track their tail wheel time, which is often important when purchasing insurance.

5. **Flight Regulations/Operation Sections:** “The USHST, HAI, and GAMA recommend incorporating the recordation of whether a flight was Revenue Flight Seeing or Air Medical into the existing operations options for Revenue Operation and Purpose of Flight.”

**NTSB response:** These options are already included in the Owner/Operator Information section of the form.

6. **Substantial Damage Definition:** “Currently, the examples are airplane-centric. The USHST, HAI, and GAMA recommend adding rotorcraft-specific examples—e.g., noting that all rotor blade damage (ground or flight) should be considered minor unless the rotor blade is not repairable; damage to winglets, finlets, and the horizontal stabilizer is minor. The USHST, HAI, and GAMA also recommend that the NTSB work to harmonize its definition of substantial damage with the FAA and foreign authorities.”

**NTSB response:** Adding rotorcraft-specific examples and harmonizing the substantial definition with the FAA is beyond the scope of this renewal of the OMB number. The NTSB believes such comments would be better addressed in future rulemakings specific to the definition of “substantial damage.”

7. **Process Recommendation:** “The USHST, HAI, and GAMA encourage the NTSB to always include the Form 6120.1 in the public docket, with appropriate redactions as

needed. The USHST, HAI, and GAMA also encourage the Board to distribute the form to parties to investigations as soon as practical, including before the docket is opened.”

**NTSB response:** This is the NTSB’s standard procedure.

- 8. Improved Electronic Form:** “The USHST, HAI, and GAMA encourage the NTSB to develop a future iteration of the electronic version of Form 6120.1 that includes drop-down menus and choice fields. An electronic form could also utilize technology to determine and flag inputs that are inconsistent and possibly incorrect.

**NTSB response:** The NTSB agrees and has plans to develop an electronic form in the future.

#### **b. Certification Statement**

Two remaining comments addressed the certification statement. The first commenter, Air Medical Operators Association (AMOA), noted that the wording of the certification “statement implies that *all* information provided on the form, including a pilot’s birthdate, address and signature, will be subject to public release, a change in NTSB practice. Further, it suggests that the pilot, by signing this form, consents to the public release of *all* information provided on the form, including private information.” (Emphasis added.) The second commenter anonymously argued that “[t]his change may reduce the amount of information pilots will provide voluntarily to the NTSB after an accident. Knowing that signing the form means that whatever is submitted with the form will be publicly released may cause pilots to provide their input with an eye to avoiding personal liability, rather than preventing similar accidents in the future.”

While in the joint letter, the USHST, HAI, and GAMA did not specifically address the certification statement, their letter provides in pertinent part that they “encourage the NTSB to always include the Form 6120.1 in the public docket, with appropriate redactions as needed.”

**NTSB response:** In the current version, the instructions explicitly state: “The NTSB does not guarantee the privacy of any information provided in this form.” However, over the years, it has become apparent that this statement is often overlooked and/or unnoticed by pilots and

operators; accordingly, the NTSB will highlight the statement in bold and add an additional line informing respondents of agency protocol: **“The NTSB does not guarantee the privacy of any information provided in this form. Accordingly, the information provided herein may be subject to public release.”** Further, to remind the respondent of the privacy notice, the agency added the following language that will precede the signature line: **“By signing this form, I am consenting to the public release of the information provided herein.”**

The agency notes that it does not release the pilot’s name, address, or birthdate in the report or database records, but a copy of the form has always been added to the public docket with redactions of the pilot’s address and date of birth. The new language simply highlights the agency’s standard practice in the interest of transparency. Again, the additional language puts the pilot and operator on notice of the NTSB’s protocols regarding information provided on Form 6120.1; thus, the updated language is not a reflection of any changes in the agency’s handling of the aforementioned information.

**c. Additional Changes Initiated by the NTSB**

Prior to the FR publication of the notice, the NTSB revised the form by correcting typographical errors, updating the mailing address and jurisdictions of the regional offices; eliminating outdated references to “DUATS” and fuel readings of “100/130” and “115/145;” and revising the certification statement as discussed above. The NTSB also requested additional information in the following sections: Flight Crewmember, Flight Itinerary Information, and Weather Information.

As previously discussed, since the FR publication, the NTSB has incorporated revisions based on public comment. Moreover, upon further review, the agency made the following changes: reformatting sections of the 6120.1 form, providing the weblink to the form available on the agency’s website, replacing all regional office addresses with the address in Washington



D.C. where completed forms will be now reviewed by AS in headquarters. Additional changes include listing “FAR 450” as an option for commercial space in the Owner/Operator Information section; including “Captain” and “First Officer” to the Flight Crewmember section; and providing a line in the Passenger(s)/Personnel section to specify the number of those who were on board.

**9. Gifts or payments to respondents.**

The agency will not provide gifts or payments to respondents for completing the form.

**10. Assurance of confidentiality.**

The agency will not provide any assurance of confidentiality to respondents concerning the completed questionnaires. Thus, the agency added language in the first page of the form that states: “The NTSB does not guarantee the privacy of any information provided in this form. Accordingly, the information provided herein may be subject to public release.” The agency also added language on the last page that states, “By signing this form, I am consenting to the public release of the information provided herein.” The agency typically releases the form in the “public docket” for the associated investigation.<sup>1</sup>

As noted above, the agency does not release the pilot’s name, address, or birthdate in the report or database records, but a copy of the form has always been added to the public docket with redactions of the pilot’s address and date of birth.

**11. Additional justification for questions of a sensitive nature.**

The form does not contain questions of a sensitive nature.

**12. Estimate in hours of the burden of the collection of information.**

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<sup>1</sup> The NTSB “public docket” for an accident investigation is “a collection of records from an accident investigation that the investigator who oversaw the investigation of that accident has deemed pertinent to determining the probable cause of the accident.” 49 C.F.R. § 801.3.

Since the last ICR, the annual number of accidents and incidents have decreased to approximately 1,350, but due to the unpredictability of the number of accidents per year, the agency will round up and project 1,400 that will be submitted annually. The agency estimates that each form takes about 60 minutes to complete, resulting in about 1,400 burden hours per year; the estimated time to complete the form includes the time ascertaining and inputting the information. The form asks for information that is ordinarily maintained by, or readily available to pilots and operators. Thus, the estimate does not include hours spent maintaining the information.

Because aircraft accidents are unpredictable, it is impossible to predict the number of forms that will be submitted annually. The agency estimates that approximately 1,400 burden hours per year will cost all respondents in the aggregate approximately \$96,446. The estimate is based on the average cost of one hour of time per form for either a pilot or an operator, as described below.

The Department of Labor, Bureau of Labor Statistics Occupational Employment Statistics (OES) Category 53-2011 (Airline Pilots, Co-Pilots, and Flight Engineers) provides that the median annual salary for these occupations as of May 2022<sup>2</sup> was \$225,740; assuming 40 hours per week and 52 weeks per year, the average hourly cost for pilots when rounded up is \$108.53. OES Category 53-1047 (First-Line Supervisors of Transportation and Material Moving Workers, Except Aircraft Cargo Handling Supervisors) provides that the mean hourly wage for these occupations, which are akin to an employee or analyst in an operator's safety department, as of May 2022 was \$29.25. Thus, the average hourly rate of categories 53-2011 and 53-1047 is \$68.89. Multiplying this hourly rate by 1,400 hours equals \$96,446.

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<sup>2</sup> The May 2022 OES is the current version available. The May 2023 OES data will be released in Spring 2024.

**13. Estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.**

Completion of the form does not require any recordkeeping, capital, start-up, or maintenance costs, but only requires approximately 60 minutes of a respondent's time. Respondent may submit electronically or by mail. The NTSB is limiting electronic submission to a specified e-mail address, and hardcopy submission to a centralized mailing address.

**14. Estimates of annualized cost to the Federal government.**

The agency incurs costs in transmitting and collecting each form, as well as handling and analyzing the information in each completed form. The agency estimates the total cost of transmitting and collecting approximately 1,400 forms annually when rounded up will be \$222,390 per year. This amount represents the cost of one hour of agency personnel time per form, at an average hourly rate when rounded down of \$52.95, as calculated below.

About one third of the forms, usually related to non-fatal accidents involving damage to aircraft or property only, are transmitted and collected by aviation accident investigators at grades GS-9 through -11 at agency field offices in Anchorage, AK; Seattle, WA; Aurora, CO; and at headquarters in Washington, DC. The average hourly rate when rounded up for step 1 of grades 9 through 11 among all regional offices and headquarters is \$33.22.

About one third of the forms, related to fatal and other serious aviation accidents, are transmitted and collected by senior aviation accident investigators at grades GS-13 or -14 at the same field offices. The average hourly rate when rounded down for step 1 of grades 13 and 14 among all regional offices and headquarters is \$56.62.

The remaining third of the forms, usually related to major investigations and air carriers, are transmitted and completed by senior aviation accident investigators at grades GS-14 or -15 at

agency headquarters. The average hourly rate when rounded up for step 1 of grades 14 and 15 in Washington, DC is \$69.02.

Accordingly, the average of all three categories when rounded down is \$52.95. In estimating one hour per form, the agency has considered investigators' time in duties that include, but are not limited to, the following: identifying the respondent's contact information and location; notifying the respondent and explaining the purpose of the form; mailing or emailing the form to the respondent; and receiving and filing the completed form.

The agency estimates the total cost of handling and analyzing the information in approximately 1,400 forms per year will be \$222,390. This amount includes the cost of three additional hours of agency personnel time per form, at an average cost of \$52.95 per hour, using the same hourly rate averages used above to calculate the average cost of transmitting and collecting the form.

In estimating 3 hours of additional time per form, the agency has considered the following duties of investigators: reviewing the form; verifying, correcting, and collecting any missing data; scanning, redacting, and loading the form into the agency's accident and incident database; comparing the data on the form to other data points the agency has obtained in the investigation; and conducting a quality control review and ensuring all data submitted on the form is consistent with other information in the accident and incident database.

Accordingly, the agency estimates that the complete annualized cost to the Federal government will be \$222,390.

**15. Program changes or adjustments.**

No changes or adjustments will occur to any programs.

**16. Plans for tabulation and publication of responses.**

As described above, the agency routinely releases completed forms in the public docket for each accident or incident investigation. A public docket is opened at the conclusion of an investigation, usually 12-18 months after an accident, depending on the scope and complexity. The agency also publishes a monthly data file and annual statistics containing aggregated data.

Additionally, if information in multiple forms indicates a trend or similarity in accidents or incidents, the agency may note the trend or similarity in its accident reports. For example, the agency may run queries in its accident and incident database to determine the number of accidents or incidents involving certain aircraft or certain crew similarities. Trends may also prompt the agency to conduct safety studies unrelated to a particular accident. *See* 49 U.S.C. § 1116. The results of safety studies often culminate in safety recommendations.

**17. Display of expiration date.**

The agency will display the expiration date of OMB's approval.

**18. Exception to certification statement in Form 83-I.**

The agency does not request any exception to the certification statement contained in Item 19 of OMB Form 83-I.