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**Comments of Airlines for America
to CDC's Proposed Data Collection Submitted for
Public Comment and Recommendations
(CDC-2019-0092 & CDC-2020-0013)**

Airlines for America ("A4A"), on behalf its Members,¹ submits the following comments in response to the Centers for Disease Control and Prevention's ("CDC") Proposed Data Collection Submitted for Public Comment and Recommendations regarding Airline Vessel and Traveler Information Collection under 42 C.F.R. part 71 ("Data Collection Review"). We strongly urge the CDC to withdraw the Data Collection Analysis and perform a full Paperwork Reduction Act ("PRA") analysis with consideration of the larger collection and disclosure of information under the COVID-19 related Interim Final Rule ("IFR") which modifies 42 C.F.R. § 71.4 ("Section 71.4").

First, the Data Collection Review was released on December 23, 2019. At that time, CDC had not revised its regulations through the IFR. The collection and reporting of information at issue was limited "to the extent that such data are already available and maintained by the airline."² Moreover, the Data Collection Review analyzes airlines' post-flight passenger manifest collection and disclosure. On this basis, the CDC estimated that for each traveler manifest, airlines require approximately six hours to review the order, search their records, and send those records to CDC. This estimate does not reflect the constantly changing expectations and requirements of airlines.

¹ A4A's members are Alaska Airlines, Inc.; American Airlines Group, Inc.; Atlas Air, Inc.; Delta Air Lines, Inc.; Federal Express Corp.; Hawaiian Airlines; JetBlue Airways Corp.; Southwest Airlines Co.; United Airlines Holdings, Inc.; and United Parcel Service Co. Air Canada is an associate member.

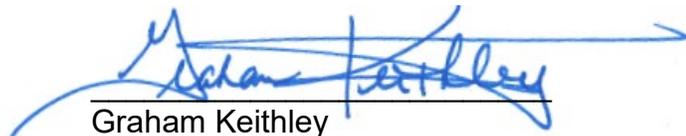
² See CDC, Control of Communicable Diseases, 82 Fed. Reg. 6,890 (Jan. 19, 2017); see also, *id.* at 6,968 ("Only that if the airlines or maritime operators have the data elements listed in 71.4 and 71.5 in their possession, they must be provided to CDC within 24 hours.").

However, under the IFR, airlines are required to collect and disclose passenger contact information without regard to whether such data is already available and maintained by an airline. As demonstrated by CDC's recent order, CDC requires airlines to collect, outside of their regular business processes, passenger contact information. In sum, the Data Collection Review is stale and does not reflect the actual burdens imposed upon airlines to meet the new IFR requirements.

Second, the PRA analysis for the IFR is fundamentally flawed. In the IFR, the CDC states that OMB "has determined there is no new information collection requiring a submission of a new information collection request under the Paperwork Reduction Act." As discussed above, this conclusion is incorrect. Airlines must now collect information that is not already available and maintained by the airline, and must now proactively collect data that is not already captured under its existing business procedures. Moreover, certain airlines that offer charter services capture less information than scheduled passenger airlines in the ordinary course of business. If applied on the broad scope of the IFR—which includes any airline passenger (international or domestic), related to any communicable disease (COVID-19 or seasonal flu), and without a Director-determination of risk of exposure—the potential collection of information is enormous and beyond the existing capabilities of airlines.

We appreciate the opportunity to submit these comments and thank you for your consideration. If you have any questions, please contact Graham Keithley, Assistant General Counsel, at gkeithley@airlines.org.

Respectfully submitted,



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AIRLINES FOR AMERICA