Department of Transportation
Federal Aviation Administration

SUPPORTING STATEMENT

OMB 2120-0781

Means of Compliance, Declarations of Compliance, and Labeling Requirements for Unmanned Aircraft with Remote Identification

INTRODUCTION

The Department of Transportation (DOT) submits this Supporting Statement to the Office of Management and Budget (OMB) in preparation for requesting an approval for information collections related to the final rule titled "Remote Identification of Unmanned Aircraft" (Remote Identification rule) (RIN 2120-AL31). The DOT requests this information collection approval include information a person submits to the Federal Aviation Administration (FAA) when seeking acceptance for either a means of compliance used in the production of standard remote identification unmanned aircraft or remote identification broadcast module to ensure they meet the minimum performance requirements of the final rule, or a declaration of compliance used by persons responsible for the production of standard remote identification unmanned aircraft or remote identification broadcast module to demonstrate that the unmanned aircraft or broadcast module are produced in accordance with an FAA-accepted means of compliance that meets the minimum performance requirements for a standard remote identification unmanned aircraft or remote identification broadcast module. The "means of compliance" and "declaration of compliance" concepts are critical components of the framework of the rule to ensure that the standard remote identification unmanned aircraft or remote identification broadcast module meet the performance-based requirements for remote identification. In addition, this supporting statement includes a labeling requirement for producers of standard remote identification unmanned aircraft or remote identification broadcast module to display a label indicating that the standard remote identification unmanned aircraft or remote identification broadcast module meets the remote identification requirements imposed by the FAA.

Part A. Justification:

1. Circumstances that make the collection of information necessary.

On June 28, 2016, the FAA achieved a major step towards integrating small UAS[1] into the airspace of the United States when it published the final rule for Operation and Certification of Small Unmanned Aircraft Systems.[2] This was one of multiple UAS-related regulatory actions taken by the FAA to enable the safe integration of UAS into the airspace of the United States.

On February 13, 2019, the FAA published three rulemaking documents as part of the next phase for integrating small UAS into the airspace of the United States. The first of such documents was an interim final rule titled "External Marking Requirement for Small Unmanned Aircraft[3]," in which the FAA required small unmanned aircraft owners to display the registration number assigned by the FAA on an external surface of the aircraft. The second rulemaking document was a notice of proposed rulemaking titled "Operation of Small Unmanned Aircraft Systems Over People[4]," in which the FAA proposed to allow operations of small unmanned aircraft over people in certain conditions and operations of small UAS at night without obtaining a waiver. The third rulemaking document was an advance notice of proposed rulemaking titled "Safe and Secure Operations of Small Unmanned Aircraft Systems[5]," in which the FAA sought information from the public on whether and under which circumstances the FAA should promulgate new rulemaking to require stand-off distances, additional operating and performance restrictions, the use of UAS Traffic Management (UTM), additional payload restrictions, and whether the

[1] Small unmanned aircraft means an unmanned aircraft weighing less than 55 pounds on takeoff, including everything that is onboard or otherwise attached to the aircraft. Small unmanned aircraft system means a small unmanned aircraft and its associated elements (including communication links and the components that control the small unmanned aircraft) that are required for the safe and efficient operation of the small unmanned aircraft in the national airspace system.

[2] 81 FR 42064.

[3] 84 FR 3669.

[4] 84 FR 3856.

[5] 84 FR 3732.

Agency should prescribe design requirements and require that unmanned aircraft be equipped with critical safety systems.

As technology progresses and the utility of UAS increases, the FAA anticipates a need for further rulemaking to continue to foster a safe, secure, and efficient use of the airspace of the United States. Accordingly, the FAA believes that the next step in the regulatory process involves the enactment of regulatory requirements to enable the remote identification of unmanned aircraft operating in the airspace of the United States.

The remote identification of unmanned aircraft is necessary to ensure public safety and the safety and efficiency of the airspace of the United States. The remote identification framework provides UAS-specific data, which could be used in tandem with new technologies and infrastructure to facilitate future, more advanced operational capabilities (such as detect-and-avoid and aircraft-to-aircraft communications that support beyond visual line of sight operations) and to develop the necessary elements for comprehensive UTM. Furthermore, remote identification of unmanned aircraft will provide airspace awareness to the FAA, national security agencies, and law enforcement entities, which could be used to discern compliant airspace users from those potentially posing a safety or security risk.

Current rules and information collections for registration and marking of unmanned aircraft facilitate the identification of the unmanned aircraft's owner, but normally only upon physical examination of the aircraft. Existing electronic surveillance technologies like transponders and Automatic Dependent Surveillance-Broadcast (ADS-B), in addition to radio communications with air traffic control (ATC), were considered as potential solutions for the remote identification of unmanned aircraft but were determine to be unsuitable due to the lack of infrastructure for these technologies at lower altitudes and potential saturation of available radio frequency spectrum. The current lack of near real-time data regarding unmanned aircraft operations affects the ability of the FAA to oversee the safety and security of the airspace of the United States, creates challenges for national security agencies and law enforcement entities in identifying threats, and impedes the further integration of UAS into the airspace of the United States. The remote identification rule addresses the identification issues associated with UAS by requiring the use of systems and technology to enable the remote identification of unmanned aircraft.

Section 44805 of Title 49 of the United States Code (49 U.S.C.) authorizes the Administrator to establish a process for, among other things, accepting risk-based consensus safety standards related to the design, production, and modification of small UAS. Under 49 U.S.C. 44805(b)(7), one of the considerations the Administrator must take into account prior to accepting such standards, is any consensus identification standard regarding remote identification of unmanned aircraft developed pursuant to section 2202 of Public Law 114-190.

Section 2202 of Public Law 114-190 required the Administrator to convene industry stakeholders to facilitate the development of consensus standards for remotely identifying operators and owners of UAS and associated unmanned aircraft and to issue regulations or guidance based on any standards developed.

Section 44809(f) provides that the Administrator is not prohibited from promulgating rules generally applicable to unmanned aircraft related to the registration and marking of unmanned aircraft and the standards for remotely identifying owners and operators of UAS and associated unmanned aircraft.

For purposes of the remote identification, a means of compliance is a means of complying with the minimum performance requirements of the rule. It may take the form of a standard developed by, for example, a voluntary consensus standards body, or a particular person responsible for the design or production of a standard remote identification unmanned aircraft or the remote identification broadcast module. The FAA emphasizes that, although a means of compliance developed by a consensus standards body may be available, any individual or organization can submit its own means of compliance for FAA-acceptance. The FAA reviews and, if appropriate, accepts a means of compliance signifying that the unmanned aircraft or broadcast module produced in accordance with such FAA-accepted means of compliance would meet the minimum performance requirements for a standard remote identification unmanned aircraft or remote identification broadcast module. The FAA would notify the public of its acceptance of a means of compliance. Standard remote identification unmanned aircraft or remote identification broadcast modules could be produced using one or more means of compliance.

A declaration of compliance is the means by which producers declare that they produced a standard remote identification unmanned aircraft or remote identification broadcast module in

accordance with an FAA-accepted means of compliance that meets the minimum performance requirements in subpart D of part 89. The FAA will review declarations of compliance to determine whether they meet the requirements of the final rule. If they do, the FAA would accept the declaration of compliance and notify the public of its acceptance.

The information the FAA would review under the final rule includes the information included in applications requesting acceptance of a means of compliance, as well as the information included in declarations of compliance submitted for FAA acceptance by producers of the standard remote identification unmanned aircraft or remote identification broadcast module.

In addition to requesting acceptance of declarations of compliance, producers of the standard remote identification unmanned aircraft or remote identification broadcast module are required to label the unmanned aircraft to indicate that the unmanned aircraft or broadcast module meets the remote identification requirements. The labeling requirement would inform the operator that the unmanned aircraft is eligible to conduct operations within the airspace of the United States. For example, unless excepted or otherwise authorized by the Administrator, unmanned aircraft that are not standard remote identification unmanned aircraft, nor equipped with remote identification module are limited to operating only within FAA-recognized identification areas.

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

Persons submitting means of compliance for acceptance by the FAA (e.g., individuals, standards setting organizations, designers of remote identification unmanned aircraft or broadcast modules); persons submitting declarations of compliance for acceptance by the FAA (i.e., producers of remote identification unmanned aircraft or broadcast modules) and; persons responsible for the labeling of unmanned aircraft systems (i.e., producers of the remote identification unmanned aircraft or broadcast module), are, as needed, mandated to report, record keep, and disclose information for this collection.

The FAA will use the means of compliance as a way for persons responsible for the production of standard remote identification unmanned aircraft or remote identification broadcast module to demonstrate compliance with the performance requirements for standard remote identification unmanned aircraft or remote identification broadcast module. The FAA will use the declaration

of compliance to determine that the person responsible for the production of standard remote identification unmanned aircraft or remote identification broadcast module has demonstrated compliance with the production requirements for standard remote identification unmanned aircraft or remote identification broadcast modules. The labeling requirement will assist the FAA, and owners or operators of unmanned aircraft to determine whether the standard remote identification unmanned aircraft or remote identification broadcast module meets the rule's remote identification requirements.

The information collection requirements applies to any person requesting acceptance of a means of compliance or a declaration of compliance. This includes persons responsible for the production of standard remote identification unmanned aircraft or remote identification broadcast module—to equip unmanned aircraft without remote identification—for operation in the airspace of the United States.

a. Declaration of Compliance and Means of Compliance

General

The FAA is adopting several performance-based requirements for the remote identification of unmanned aircraft that could be satisfied by more than one means of compliance. This framework requires persons responsible for the production of standard remote identification unmanned aircraft or remote identification broadcast module to use an FAA-accepted means of compliance to show that the standard remote identification unmanned aircraft or remote identification broadcast module were produced in accordance with the minimum performance requirements of the regulation. By adopting a performance-based approach, the FAA intends for regulation to be flexible so that persons, such as voluntary consensus standards bodies, may develop means of compliance that adjust to the fast pace of technological change, innovation, and development. The final rule also establishes a process by which the FAA would assess and accept means of compliance for the remote identification requirements.

The FAA expects industry stakeholders will develop means of compliance for standard remote identification unmanned aircraft or remote identification broadcast module producers to use, including standards for the message elements to be broadcast, the formatting of the message elements, and the design and performance of equipment necessary to broadcast the message

elements. This approach aligns with the direction of OMB Circular A-119, which favors the use of performance-based regulations and voluntary consensus standards. The FAA permits any person, including a consensus standards body or an individual designer or producer, to request acceptance by the FAA of a means of compliance.

The FAA would review the information submitted by persons requesting acceptance of a means of compliance to determine whether the means of compliance meets the minimum performance requirements established in the final rule. If the FAA determines that the person has demonstrated the means of compliance meets the minimum performance requirements, the FAA will notify the person and publicize acceptance of the means of compliance. Producers of standard remote identification unmanned aircraft or remote identification broadcast module are required to produce their remote identification unmanned aircraft or broadcast module in accordance with the minimum performance requirements of the rule using an FAA-accepted means of compliance.

Producers of standard remote identification unmanned aircraft or remote identification broadcast module are also required to submit a declaration of compliance for FAA acceptance, declaring that they produced a standard remote identification unmanned aircraft or remote identification broadcast module in accordance with the minimum performance requirements of the final rule, using an FAA-accepted means of compliance. The FAA would review the information submitted by producers in their declarations of compliance to determine whether the standard remote identification unmanned aircraft or remote identification broadcast module listed on the declarations have been produced in accordance with the minimum performance requirements of the final rule. If the FAA determines the producer has demonstrated that the standard remote identification unmanned aircraft or remote identification broadcast module is produced in accordance with the minimum performance requirements of the rule using an FAA-accepted means of compliance, the FAA will notify the producer and publicize acceptance of the declaration of compliance. Although the standard remote identification unmanned aircraft—produced without part 21 approval—or unmanned aircraft equipped with the remote identification broadcast module are not certificated as airworthy under this rule, the FAA would rely on a producer’s declaration of compliance to ensure that the unmanned aircraft or broadcast

module complies with the applicable remote identification requirements at the time of production.

Operators of unmanned aircraft will rely on the information in an FAA-accepted declaration of compliance to determine whether their standard remote identification unmanned aircraft or unmanned aircraft equipped with the remote identification broadcast module meets the requirements of the rule, and can therefore be operated in the airspace of the United States. The FAA is requiring that, after the operating requirements compliance date listed in the final rule, operations of unmanned aircraft without remote identification would be limited to FAA-recognized identification areas.

Means of Compliance

The FAA is requiring any person who develops a means of compliance for the production of a standard remote identification unmanned aircraft or remote identification broadcast module to submit those means of compliance for review and acceptance by the FAA. The means of compliance must include testing and validation procedures for producers to demonstrate through analysis, ground test, or flight test, as appropriate, how the standard remote identification unmanned aircraft or remote identification broadcast module perform their intended functions and how they meet the remote identification requirements of the final rule.

To request acceptance of a means of compliance, a person is required to submit the following information to the FAA:

(1) The name of the person or entity submitting the means of compliance, the name of the main point of contact for communications with the FAA, the physical address, email address, and other contact information.

(2) A detailed description of the means of compliance.

(3) An explanation of how the means of compliance addresses all of the minimum performance requirements in the rule so that any standard remote identification unmanned aircraft of remote identification broadcast module designed and produced in accordance with such means of compliance meets the remote identification requirements.

(4) Any substantiating material the person wishes the FAA to consider as part of the request.

The FAA will indicate acceptance of a means of compliance by notifying the submitter of the acceptance of the submitted means of compliance. The FAA also expects to notify the public that it has accepted the means of compliance by including it on a list of accepted means of compliance at https://www.faa.gov. The FAA will not disclose commercially valuable information in this notice. It will only provide general information stating that FAA has accepted the means of compliance. The FAA may disclose non-proprietary broadcast specification and radio frequency spectrum so that sufficient information is available to develop receiving and processing equipment and software for the FAA, law enforcement, and members of the public.

A person who submits a means of compliance that is accepted by the FAA is required to retain the following data for as long as the means of compliance is accepted plus an additional 24 calendar months: (1) all documentation and substantiating data submitted to the FAA for the acceptance of the means of compliance; (2) records of all test procedures, methodology, and other procedures, as applicable; and (3) any other information necessary to justify and substantiate how the means of compliance enables compliance with the remote identification requirements imposed by the FAA.

Declarations of Compliance

Under the final rule, the following information would have to be included in a producer's declaration of compliance:

(1) The name, physical address, telephone number, and email address of the person responsible for production of the standard remote identification unmanned aircraft or remote identification broadcast module.

(2) The standard remote identification unmanned aircraft or remote identification broadcast module make and model.

(3) The standard remote identification unmanned aircraft or remote identification broadcast module serial number, or the range of serial numbers for which the person responsible for production is declaring compliance.

(4) The FCC Identifier of the 47 CFR part 15-compliant radio frequency equipment used and integrated into the standard remote identification unmanned aircraft or the remote identification broadcast module.

(5) The means of compliance used in the design and production of the standard remote identification unmanned aircraft or remote identification broadcast module

(6) Whether the declaration of compliance is an initial declaration or an amended declaration, and if the declaration of compliance is an amended declaration, the reason for the amendment.

(7) A declaration that the person responsible for the production of the standard remote identification unmanned aircraft or remote identification broadcast module can demonstrate that the standard remote identification unmanned aircraft or remote identification broadcast module was designed and produced to meet the respective minimum performance requirements of standard remote identification unmanned aircraft or remote identification broadcast module by using an FAA-accepted means of compliance.

(8) A statement that 47 CFR part 15-compliant radio frequency equipment is used and is integrated into standard remote identification unmanned aircraft or remote identification broadcast module without modification to its authorized radio frequency parameters. For the remote identification broadcast module, the declaration must include a statement that instructions have been provided for installation of 47 CFR part 15-compliant remote identification broadcast module without modification to the broadcast module's authorized radio frequency parameters.

The FAA will indicate acceptance or non-acceptance of a declaration of compliance by notifying the producer. The FAA will also publish a list of accepted declarations of compliance at https://www.faa.gov.

A person or entity who submits a declaration of compliance that is accepted by the FAA must retain the following information for as long as the standard remote identification unmanned aircraft or remote identification broadcast module listed on that declaration of compliance are

produced, plus an additional 24 calendar months: (1) the means of compliance, all documentation, and substantiating data related to the means of compliance used; (2) records of all test results; and (3) any other information necessary to demonstrate compliance with the means of compliance so that the standard remote identification unmanned aircraft or remote identification broadcast module meets the remote identification requirements and the design and production requirements of the final rule.

While many applicants who seek acceptance of a means of compliance may also seek to produce a standard remote identification unmanned aircraft or remote identification broadcast module, the final rule permits an applicant who seeks acceptance of a means of compliance to be distinct from the applicant who seeks acceptance of a declaration of compliance.

b. Labeling

The final rule requires a person responsible for the production of standard remote identification unmanned aircraft or remote identification broadcast module to label each unmanned aircraft or broadcast module to show that it meets the remote identification requirements of the rule. The label must be in English and be legible, be prominently displayed, and permanently affixed to the unmanned aircraft or broadcast module.

For existing unmanned aircraft that are upgraded to have remote identification broadcast module capabilities integrated into the aircraft, the FAA envisions that the label would be affixed to the unmanned aircraft. In those instances, the producer may provide the label to the operator and instructions on how to affix them to the unmanned aircraft. Standard remote identification unmanned aircraft produced under a design or production approval issued under part 21 have to comply with the labeling requirements of part 21, as applicable.

The labeling requirement will assist the FAA in its oversight role because it provides an efficient means for an inspector to evaluate whether an operation is consistent with the remote identification requirements.

3. <u>Extent of automated information collection.</u>

Persons responsible for the production of standard remote identification unmanned aircraft or remote identification broadcast module must submit electronically a request for acceptance of a declaration of compliance through the FAA website. The FAA is providing a sample declaration

of compliance in a fillable form. However, the FAA does not require an applicant who seeks acceptance of a declaration of compliance to use the sample form. The FAA's review of declarations of compliance and means of compliance will not lend itself to automation, because each means of compliance and declaration of compliance will likely be based on unique, commercially valuable information.

4. Efforts to identify duplication.

The FAA has carefully analyzed existing information collection activities to ensure that the collection of information does not duplicate any other information collection in which the agency engages. The FAA does not currently collect information regarding the capabilities of standard remote identification unmanned aircraft or remote identification broadcast modules related to remote identification. Nor does the FAA collect any information regarding minimum performance requirements of standard remote identification unmanned system or remote identification broadcast modules regarding their remote identification. However, additional rulemakings also establish requirements for persons responsible for the production of unmanned aircraft to submit means of compliance and declarations of compliance.[6]

5. Efforts to minimize the burden on small businesses.

The information collection involves only the information that FAA has determined is necessary to ensure compliance with the proposed performance-based requirements for remote identification. In addition, the information collection requirements applies to all applicants, individuals as well as businesses, who design and produce standard remote identification unmanned aircraft or remote identification broadcast module—to equip unmanned aircraft without remote identification—for operation in the airspace of the United States.

6. Impact of less frequent collection of information.

[6] FAA published the Operation of Small Unmanned Aircraft Systems over People final rule on January 15, 2021. That rule is also performance-based and requires the use of means of compliance and declarations of compliance. However, the means of compliance and declarations of compliance discussed in that rule relate to operations of small unmanned aircraft over people. The information sought in those means of compliance and declarations of compliance is different than the information sought in this information collection, as each rule addresses different performance capabilities of unmanned aircraft.

The information collection related to means of compliance occurs on a one-time basis when an applicant submits a means of compliance for review and acceptance by the FAA. The information collection related to declarations of compliance will typically occur on a one-time basis, when an applicant declares compliance for producing a standard remote identification unmanned aircraft or a remote identification broadcast module to equip an unmanned aircraft without remote identification for operation in the airspace of the United States. Additional collections of information may be necessary, from time to time, if the submitter of an FAA-accepted declaration of compliance has a need to amend the declaration of compliance.

7. Special circumstances.

There are no special circumstances that will cause the FAA to conduct information collection in a manner inconsistent with the OMB guidance on the Paperwork Reduction Act compliance.

8. Compliance with 5 CFR 1320.8.

On December 31, 2019, the FAA published the Remote Identification of Unmanned Aircraft Systems notice of proposed rulemaking (NPRM) for public comment—along with it the proposed information collection on the remote identification means of compliance and declaration of compliance. The information collection activity provided along with the NPRM was the Agency's first notification of the information collection. The NPRM and the proposed information collection on remote identification message elements provided the public with an opportunity to provide input concerning the proposed information collections. Though the public provided comments on the NPRM, no comments were provided specifically to the information collection. The FAA subsequently published the final rule on January 15, 2021 (86 FR 4390).

9. Payments or gifts to respondents.

No provision or payments or gifts to respondents in exchange for submitting the information will occur.

10. Assurance of confidentiality.

While no assurance of confidentiality to respondents will occur concerning the information respondents will submit in accordance with the final rule, the FAA exercises care in handling any

information that a submitter designates as proprietary. As stated in the final rule, the FAA anticipates informing the public of acceptance of means of compliance and declarations of compliance. However, the information that accompanies each application seeking FAA acceptance may consist of information that is commercially valuable. The agency does not intend to make such information publicly available.

11. Justification for collection of sensitive information.

The FAA will not request information of a sensitive nature from any respondent.

12. Estimate of burden hours for information requested.

Means of Compliance

The FAA requires persons who develop standards that the FAA may accept as means of compliance for the production of a standard remote identification unmanned aircraft or remote identification broadcast module to submit those standards for review and acceptance by the FAA. The means of compliance includes requirements for producer demonstration of how the standard remote identification unmanned aircraft or remote identification broadcast module performs its intended functions and meets the performance requirements by analysis, ground test, or flight test, as appropriate. A person who submits a means of compliance that is accepted by the FAA is required to retain the following data for as long as the means of compliance is accepted, and an additional 24 calendar months: all documentation and substantiating data submitted for the acceptance of the means of compliance; records of all test procedures, methodology, and other procedures, if applicable; and any other information necessary to justify and substantiate how the means of compliance enables compliance with the remote identification requirements of part 89.

Table 1a: Annual Hourly Burden for Means of Compliance

Year	MOC Submitted	Total Pages	Hrs Per Page	Hourly Burden
1	1	12	1	12
2	1	12	1	12
3	1	12	1	12
Total	3	36	1	36

The FAA estimates 3 respondents will submit means of compliance totaling 36 pages for a total hourly burden of 36 hours (12 hours each in years 1, 2 and 3). **The average annual burden is estimated at 1 respondent at 12 hours each, for an average total of 12 hours per year.**

The annual cost burden for a standards body or producer of remote identification unmanned aircraft to submit the means of compliance equals the number of pages per submission multiplied by the hours per page, multiplied by a total compensation wage of $94.52.[7] Over the three-year analysis period, the total cost to submit a means of compliance is $0.003 million.

Table 1b: Annual Hourly Burden and Cost – Means of Compliance

Year	MOC Submitted	Total Pages	Hrs Per Page	Total Hrs	Cost Per Hour	Total Cost
1	1	12	1	12	$94.52	$1,134.24
2	1	12	1	12	$94.52	$1,134.24
3	1	12	1	12	$94.52	$1,134.24
Total	3	36	3	36	$94.52	$3,402.72

Row and column totals may not sum due to rounding.

Declaration of Compliance

The final rule requires the person responsible for the production of a standard remote identification unmanned aircraft or remote identification broadcast module to provide a declaration of compliance to the FAA.

The FAA estimates the declaration of compliance form will take approximately 15 minutes to complete. Furthermore, the FAA assumes, for the limited purpose of estimating the information collection burden associated with the FAA's final rule, that 442 producers will be required to submit declarations of compliance based on accepted means of compliance for 1,282 models of unmanned aircraft in year 2 of the 10-year analysis period.[8] This assumption is the basis for the

[7] It is assumed that a technical writer in the private sector would earn an amount equivalent to that of an FAA technical expert in the core compensation J Band series. The total compensation includes a wage multiplier of 1.43 (based on Table A of the Employer Costs for Employee Compensation December 2018 news release, https://www.bls.gov/news.release/archives/ecec_12192019.pdf)
https://employees.faa.gov/org/staffoffices/ahr/program_policies/policy_guidance/compensation/PayTables/

[8] Based on analysis of the Association for Unmanned Vehicle Systems International (AUVSI) Unmanned Systems & Robotics Database.

hourly paperwork burden imposed on applicants for submitting a declaration of compliance to the FAA. Similarly, the FAA also assumes that in each subsequent year an additional nine producers will submit declarations of compliance for 18 new models of unmanned aircraft.

Approximately five percent of documents initially submitted to the FAA would not be accepted until reworked and resubmitted by the applicant. The annual hourly burden equals the number of pages submitted multiplied by the hours per page. The following table shows the total annual hourly burden estimated for the declaration of compliance.

Table 2a: Annual Hourly Burden for Declaration of Compliance based on Means of Compliance

Year	# of Respondents	Initial Submissions	Resubmissions	Pages	Hours Per Page	Hourly Burden
1						
2	442	1,282	64.1	50	1	67,305
3	9	18	0.9	50	1	945
Total	451	1,300	65.0	50	1	68,250

Row and column totals may not sum due to rounding.

We estimate 451 respondents will submit 1,300 declarations of compliance for a total hourly burden of 68,250 hours. **This results in an annual burden of 150 respondents, averaging 3 responses each at 50 hours per response. This results in a total annual average burden of 22,500.**

The annual cost burden for the producer to submit the declaration of compliance equals the number of pages per declaration of compliance multiplied by the hours per page, multiplied by a total compensation wage of $83.79.[9] Over the three-year analysis period, the total cost to submit declaration is $5.72 million.

Table 2b: Annual Hourly Burden and Cost – Declaration of Compliance

[9] It is assumed that a technical writer in the private sector would earn an amount equivalent to that of an FAA technical expert in the core compensation J Band series using Rest of U.S. for Locality adjustment https://employees.faa.gov/org/staffoffices/ahr/program_policies/policy_guidance/compensation/PayTables/. The fully-burdened wage uses a factor of 1.43 (based on Table A of the Employer Costs for Employee Compensation December 2019 news release https://www.bls.gov/news.release/archives/ecec_12182019.pdf).

Year	Total Submissions	Pages Per Submission	Hours Per Page	Total Hours	Total Compensation Wage/Hour	Total Cost ($Millions)
1						
2	1,346.1	50	1	67,305	$83.79	$5.64
3	18.9	50	1	945	$83.79	$0.08
Total	1,365.0			68,250	$83.79	$5.72

Row and column totals may not sum due to rounding.

Labeling of Unmanned Aircraft

The proposed rule would require a producer to label the standard remote identification unmanned aircraft or remote identification broadcast module to show that it meets an accepted declaration of compliance from that producer. The label could be painted onto, etched into, or affixed to the aircraft by some other permanent means. A producer would likely redesign a label already affixed to the aircraft, and that the label redesign would take a maximum of two hours

Table 3a: Annual Hourly Burden Estimates for Labeling Unmanned Aircraft

Year	# of Respondents	Number of Platforms	Hours Per Redesign	Hourly Burden
1				
2	442	1,282	2	2,564
3	9	18	2	36
Total	451	1,300	2	2,600

Row and column totals may not sum due to rounding.

We estimate the number of respondents and responses to total 451 over the 3-year period. The hourly burden totals 2 hours per design per year for a total burden of 2,600 hours over the same three-year period. **This results in an annual average of 150 respondents. At 2.9 responses per respondent and 2 hours per response, the total average annual burden is estimated at 870 hours.**

A producer would likely redesign a label already affixed to the aircraft, which would take a maximum of approximately two hours at a total compensation wage of $82.93[10]. Over the 3-year analysis period, the total cost is $0.185 million.

Table 3b: Annual Burden Estimates for Labeling Unmanned Aircraft (Hours)

Year	Number of Platforms	Hours Per Redesign	Hourly Burden	Cost Per Hour	Total Cost
1					
2	1,282	2	2,564	$83.79	$0.215
3	18	2	36	$83.79	$0.003
Total	1,300	2	2,600	$83.79	$0.218

Row and column totals may not sum due to rounding.

13. Estimate of total annual costs to respondents.

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

14. Estimate of cost to the Federal government.

The FAA estimates the number of hours for the agency to review means of compliance and notify an applicant as to whether the means of compliance has been accepted to be 192 hours.[11] The total compensation wage for FAA subject matter experts to review the submission is $103.68 per hour for a cost of $19,906.56 per review.[12] Total costs over the three years are $59,720

Table 4: Annual Hourly Burden and Cost for FAA Review of Means of Compliance

[10] Ibid.

[11] The FAA cost to review Declarations of Compliance is expected to be minimal. UAS producers will submit Declarations of Compliance through a web-portal. UAS producers can expect to get notice of acceptance or not acceptance within 5 minutes upon submission of the declaration.

[12] Assumes review by individuals in the FAA Core Compensation Plan that are classified as Level J "Technical" and located in Washington, DC. (Source: https://employees.faa.gov/org/staffoffices/ahr/program_policies/policy_guidance/compensation/PayTables/), and a fully-loaded wage factor of 1.56 (Source: https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2008/m08-13.pdf).

Year	Initial Submissions	FAA Review Time (Hours)	Total Cost
1	1	192	$19,906.56
2	1	192	$19,906.56
3	1	192	$19,906.56
Total	3	576	$59,719.68

Row and column totals may not sum due to rounding.

To accommodate submissions for means of compliance and declarations of compliance, the FAA will develop a web portal. The FAA cost to develop the web portal is estimated to be $1 million in year 1, with follow-on maintenance costs for the portal totaling $0.175 million per year thereafter.

Table 5: Cost for Web Portal to Submit DoC/MoC ($Mil.)

Year	Initial Cost	Follow-On Maintenance	Total Cost
1	$2.2		$2.20
2		$0.34	$0.34
3		$0.34	$0.34
Total	$2.2	$0.68	$2.88

Row and column totals may not sum due to rounding.

The FAA does not expect to incur any costs related to the labeling of the unmanned aircraft eligible for operations within the airspace of the United States.

The total annual cost is ***$2.94***. The total cost includes 576 hours of review time over a period of three years (for a cost of $59,720), and the development of a web portal and follow-on maintenance (for a cost of $2.88 million).

15. Explanation of program changes or adjustments.

The FAA will use this new the information collection to ensure compliance with the performance-based requirements of the final rule. No current program that collects such information exists.

16. Publication of results of data collection.

No requirement exists that obligates the FAA to publish for statistical use any information collected in accordance with this collection. The final rule, however, notifies the public of the

FAA's intent to inform the public of the FAA's acceptance of means of compliance. The FAA will also post declarations of compliance online. However, the FAA does not intend to post the information on which these decisions of acceptance are based.

17. Approval for not displaying the expiration date of OMB approval.

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

18. Exceptions to certification statement.

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