

FEDERAL AVIATION ADMINISTRATION (FAA)
Supporting Statement for Paperwork Reduction Act Submission (Emergency)

Airport Concessions Relief Plan for Grants Under
the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (CRRSA) and
the American Rescue Plan Act, 2021 (ARPA)

OMB Control Number TBD

FAA is requesting approval of a new information collection to facilitate its implementation of grants under CRRSA and ARPA to primary airports to provide relief from rent and minimum annual guarantee (MAG) obligations to eligible airport concessions. This information collection permits FAA to confirm that rent relief is consistent with the requirements of CRRSA and ARPA.

Justification

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.***

The *Coronavirus Response and Relief Supplemental Appropriations Act*, Pub. L. 116-260 (Dec. 27, 2020) directed FAA to provide \$200 million in grants to primary airports for the purpose of providing relief from rent and MAG obligations to eligible airport concessions. In addition, the *American Rescue Plan Act*, Pub. L. 117-2 (Mar. 11, 2021) directed FAA to provide \$800 million in grants to primary airports for the purpose of providing relief from rent and MAG obligations to eligible airport concessions. FAA developed a streamlined information collection to confirm that airport sponsors and concessions receiving rent relief met CRRSA and ARPA eligibility and other legal requirements. Specifically, airport sponsors must provide relief on a proportional basis and after December 27, 2020, and March 11, 2021, respectively, as well as conduct prioritized consultation with Airport Concession Disadvantaged Business Enterprises (ACDBEs). Airport concessions must certify to the airport sponsor that they had not taken a second draw under an SBA Payroll Protection Program loan. FAA provided airport sponsors a sample concessions relief plan to ensure applicable information is provided to FAA (samples attached to supporting statement).

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.***

The information will be collected from airport sponsors (public agencies) who request payment under a concessions relief grant. FAA's Office of Airports (ARP) will use the information to determine whether airport sponsors and airport concessions benefitting

from rent relief meet the eligibility and other requirements under CRRSA and ARPA prior to processing a payment of Federal funds.

An airport sponsor will report this information on an as needed basis when it submits a payment request under its grant (anticipated to be twice for each respondent). The information collected is detail on airport concessions benefitting from rent relief, including legal name of business, amount of relief, whether the business is an airport concession disadvantaged business enterprise (ACDBE), information about Payroll Protection Program loans, and other special circumstances.

- 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. Also describe any consideration of using information technology to reduce the burden.**

The concessions relief plans are submitted electronically through the Department of Transportation's Delphi eInvoicing system. FAA has made a sample concessions relief plan available on its website, but respondents can submit information in any format.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in item 2 above.**

FAA is minimizing the collection burden and possible duplication. FAA does not have access to the requested information other than from airport sponsors.

- 5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

This information collection impacts small governmental entities; however, providing the information will not have a significant economic impact on them. The requested information is designed to collect the minimum information necessary to prudently process payments under concessions relief grants.

- 6. Describe the consequence to the Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

This information will be collected twice (once for grants under CRRSA and once for grants under ARPA) at the time of payment request. If this information were not collected, ARP could not verify compliance with CRRSA and ARPA requirements or prudent expenditure of Federal funds. Since this information is only collected once for each grant program, it cannot be collected less frequently.

7. ***Explain any special circumstances that would cause an information collection to be conducted in a manner, etc.***

No special circumstances exist.

8. ***If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received. Describe efforts to consult with persons outside the agency to obtain their views.***

With this submission, FAA is seeking emergency approval of this information collection, including waiver of the required public comment notices. Prior to expiration of the emergency approval, FAA will publish the waived notices in the Federal Register to solicit public feedback and will resubmit this information collection to OMB to address any public comments and make any necessary revisions.

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

There are no payments made or gifts given to respondents.

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

The application informs applicants that information collected is protected to the extent permitted by law, including the Privacy Act, 5 U.S.C. 552a and the Freedom of Information Act, 5 U.S.C. 552. FAA maintains personally identifiable information in FAA's Privacy Act System of Records.

11. ***Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, specific uses to be made of the information, explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.***

This information collection does not request information of a sensitive nature.

12. ***Provide estimates of the hour burden of the collection of information, well as the hour cost burden. Indicate the number of respondents, frequency of response, annual hour and cost burden, and an explanation of how the burden was estimated.***

The hour and cost burdens are based on the total estimated number of recipients for concessions relief grants under CRRSA and ARPA.

The estimated number of respondents is 404.

Reporting under Airport Coronavirus Response Grant for Concessions Relief:

| Summary (Annual numbers) | Reporting | Recordkeeping | Disclosure |
|--------------------------------------|-----------|---------------|------------|
| # of Respondents | 404 | | |
| # of Responses per respondent | 1 | | |
| Time per Response | 6 hours | | |
| Total # of responses | 404 | | |
| Total burden (hours) | 2424 | | |

Reporting under Concessions Relief Airport Rescue Grant:

| Summary (Annual numbers) | Reporting | Recordkeeping | Disclosure |
|--------------------------------------|-----------|---------------|------------|
| # of Respondents | 404 | | |
| # of Responses per respondent | 1 | | |
| Time per Response | 6 hours | | |
| Total # of responses | 404 | | |
| Total burden (hours) | 2424 | | |

Cost: The cost estimate for a respondent is based on GS 14, step 1 (\$52.17 per hour-RUS),¹ which is the minimal level of expertise that is required to respond. The revised annual hourly cost estimate is 4,848 x \$52.17 = \$252,920.

13. ***Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. Do not include hour cost burden from above.***

No additional annual costs beyond those identified in #12 above are anticipated.

¹ <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2021/general-schedule/>

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

Existing FAA ARP personnel will review each concessions relief plan prior to processing payment under the grant. FAA estimates 2 hours of review per concessions relief plan, based on GS 14, step 1 (\$52.17 per hour-RUS),² which is the minimal level of expertise that is required to respond

Calculation:

808 concessions relief plans X 2 hours x \$52.17

Estimated total annualized cost to the Federal Government: \$84,307.

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

This is a new information collection.

- 16. For collection of information whose results will be published, outline plans for tabulation and publication. Address complex analytical techniques. Provide time schedules for the entire project.**

FAA does not plan to publish data submitted in concessions relief plans. However, grant information for grants made under CRRSA and ARPA is published on the USASpending.gov website pursuant to the requirements of the Data Act.

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

FAA will display the expiration date of OMB approval in its Frequently Asked Questions (FAQs) guidance documents.

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

There are no exceptions to the certification statement.

- A. Describe (including a numerical estimate) the potential respondent universe and any sampling or other respondent selection method to be used.**

² <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/2021/general-schedule/>

Not Applicable