

Supporting Statement A
Airspace Authorization in Controlled Airspace under 49 U.S.C. 44809
2120-776

Information Collection 2120-0776 was approved on July 31, 2019 for 49,299 hours per year.

This collection activity was new to the FAA in 2019 and the operation of sUAS in the National Airspace is relatively new with activity like this approved for the first time in 2017. Now that the FAA has processed airspace authorization requests under for nearly three years a clearer picture of the number of authorization requests exists and the FAA is reducing its estimate of the total number of respondents due to there being a lower percentage of respondents requesting airspace authorizations under 49 U.S.C. § 44809 than was anticipated in 2019. The FAA is also reducing the burden hour allocation between LAANC and the web portal as a higher percentage of respondents are using LAANC, which estimates to take 5 minutes per transaction, vs. the web portal, which estimates to take 30 minutes per transaction. The screenshots for the web portal were also updated to reflect the new user interface.

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.

Congress enacted the FAA Reauthorization Act of 2018 (the Act), which was signed into law by the President on October 5, 2018. Included within the Act is 49 U.S.C. § 44809(a), which established what are referred to as limited recreational operations of unmanned aircraft.¹ 49 U.S.C. § 44809(a)(5) requires that these small unmanned aircraft system (sUAS) operators receive an authorization from the FAA prior to conducting any flight operation of a sUAS in Class B, Class C, Class D, or within the lateral boundaries of the surface area of Class E airspace designated for an airport.

The FAA is proposing to allow respondents for this new collection to submit airspace authorizations to conduct sUAS flight operations in controlled airspace through two different means: (1) The Low Altitude Authorization and Notification Capability (LAANC) and (2) a web portal.

Low Altitude Authorization and Notification Capability (LAANC)

LAANC is a tool provided by the FAA and UAS Service Suppliers (USSs) to sUAS respondents to process requests for authorization to conduct sUAS operations in controlled airspace. USSs are FAA-approved private industry entities. The USSs act

¹Limited recreational operations are those operations otherwise excepted from FAA certification and operating authority by adhering to all the limitations listed in 49 U.S.C. 44809(a)(1) thru (8). Please note that limited recreational operators fall under a broader category of individuals known as sUAS operators and will generally be referred to as sUAS operators in this document. However, all calculations regarding respondents, burden, and costs will only pertain to limited recreational operations under § 44809(a)(5).

as a conduit between sUAS respondents and the FAA to facilitate the authorization request process. LAANC USSs develop and operate software applications that transmit requests for authorization to the FAA and communicate the FAA's response (approval or denial of authorization request) to the sUAS operator. A list of approved USSs is located on the FAA website.² Using LAANC, a sUAS respondent submits a request for authorization to operate a sUAS in a particular airspace location to the USS. The USS collects information regarding the date, time, and location of the proposed operation and processes the request to the FAA. The FAA developed UAS Facility Maps to allow for the authorization of flights in controlled airspace. The maps include a number of grid cells surrounding airports; each grid cell is assigned an approved flight altitude between 0 and 400 feet. The FAA has determined that any authorization request below the assigned altitude may fly with airspace authorization without requiring a person to analyze the request. The request for airspace authorization is sent from the USS to the FAA and automatically validated against the UAS Facility Maps. A response is then provided by FAA through the USS to the sUAS respondent advising whether the request for authorization is approved or denied.

The information requested from a sUAS respondent is the minimal amount of information necessary for the FAA to know where, when, and for how long an operation will occur. This information is necessary and essential to ensure the safe operation of sUAS in the NAS.

Web Portal

The DroneZone web portal is an enterprise IT solution developed to consolidate several sUAS support systems POF into a central location. Respondents will establish a single account on the web portal where they will be able to conduct multiple activities, including requesting authorization to fly in restricted airspace. Respondents communicate directly with the FAA when using the web portal. When a respondent requests an authorization to fly via the web portal, the FAA will manually process the request and provide an approval or denial to the respondent via the web portal. The information requested from a sUAS respondent is the minimal amount of information necessary for the FAA to know where, when, and for how long an operation will occur. This information is necessary and essential to ensure the safe operation of sUAS in the NAS.

² https://www.faa.gov/uas/programs_partnerships/data_exchange/. This list is continually updated to reflect current status of USSs and will indicate if a USS provides services to the public under 49 U.S.C. § 44809, 14 CFR Part 107, or both.

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.

Respondents are sUAS operators who are seeking to fly in controlled airspace under 49 U.S.C. § 44809(a)(5) (sUAS operators flying “limited recreational operations” also referred to as “recreational flyers”). Respondents are required to provide their name, telephone number, email address, and information related to the date, time, place, and altitude of any planned flight operations in controlled airspace. Reporting this information is required for recreational flyers to receive authorization to fly a sUAS in controlled airspace. There are no record-keeping or disclosure requirements.

The information requested from respondents is essential to FAA mission needs. The FAA is tasked with the exclusive management of airspace in the United States and must issue regulations and control the use of airspace to ensure the safe and efficient use of airspace.³

The FAA uses the information provided by respondents via either LAANC or the web portal for the same purposes. To accomplish the FAA’s mandate of providing safe and efficient use of airspace, FAA’s Air Traffic Control must be aware of any planned operations of sUAS in controlled airspace. sUAS operating in controlled airspace will be entering airspace potentially occupied by a variety of other aviation vehicles. FAA’s Air Traffic Control must provide authorization of planned sUAS operations prior to them occurring to ensure that the operations will not interfere with other air traffic.

The information provided by respondents to request authorization to conduct sUAS operations, whether through LAANC or via the web portal, is used by the FAA to provide (or deny) authorization to conduct a sUAS operation consistent with the FAA’s legal mandate to maintain a safe and efficient airspace.

The information collected is used exclusively to evaluate the airspace authorization requests and to approve or disapprove of them. No information related to the airspace authorization requests is released publically other than collective statistical information. For example, the FAA announced that LAANC had processed over 1,000,000 authorization requests earlier in 2022. No information related to any specific authorization requests is released publically, however.

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.

³ See, 49 U.S.C. §§ 40103 and 44701; 49 U.S.C. § 44807

Airspace authorizations are requested via LAANC and the web portal. Each possesses different degrees of automation. Submissions are made electronically under both systems. The FAA has chosen to use LAANC and the web portal to process airspace authorization requests from sUAS operators because by automating the process and providing an electronic manner of compliance, the FAA is making the process less burdensome and more efficient for the respondents. For respondents who wish to communicate directly with the FAA, the web portal is available. For respondents who wish a faster response time, LAANC is available.

LAANC

LAANC is a highly automated system that provides near real time authorizations. All information for requests for airspace authorization that fall within the UAS Facility Map altitudes, including the submission, processing, and response to the respondent is automated. LAANC's public-facing website is located at https://www.faa.gov/uas/programs_partnerships/data_exchange, where respondents, and the general public, can learn more about LAANC and the USSs.

Web Portal

The web portal is partially automated. The submission of a request and response from FAA is automated; processing requires human analysis conducted by the FAA. The web portal is located at <https://faadronezone.faa.gov/#/>

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.

LAANC

The FAA is the only government entity that collects or requests information from recreational flyers related to requests to conduct sUAS operations in class B, C, D, or within the lateral boundaries of the surface area of class E airspace adjacent to an airport. Duplicate records for the same authorization request could exist if an operator voluntarily chooses to use the web portal and LAANC for the same operation. The requested information will be stored in the shared LAANC and web portal data repository. The information is not located in any other Federal data repository nor accessible in other government systems.

Web Portal

The FAA is the only government entity that collects or requests information from recreational flyers related to requests to conduct sUAS operations in class B, C, D, or within the lateral boundaries of the surface area of class E airspace adjacent to an airport. Duplicate records for the same authorization request could exist if an operator

voluntarily chooses to use the web portal and LAANC for the same operation. The requested information will be stored in the shared LAANC and web portal data repository. The information is not located in any other Federal data repository nor accessible in other government systems.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

LAANC

The requested information is limited to the minimum information needed for the FAA to approve or deny a requested sUAS airspace authorization. The FAA is legally mandated to maintain a safe and efficient airspace. No exception can be provided to any respondent, including small businesses, from providing the requested information as it is essential to maintaining a safe airspace. LAANC is an alternative method to request airspace authorizations from the web portal and is expected to take less time for small businesses to request and receive authorization to conduct sUAS operations, thereby reducing the burden on small businesses.

Web Portal

The requested information is limited to the minimum information needed for the FAA to approve or deny a requested sUAS airspace authorization. The FAA is legally mandated to maintain a safe and efficient airspace. No exception can be provided to any respondent, including small businesses, from providing the requested information as it is essential to maintaining a safe airspace.

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 burden.

The FAA has a statutory mandate to control and maintain a consistently high level of civil aviation safety. The information requested for airspace authorizations is necessary to ensure that each unique operation will be conducted safely. If the FAA did not collect this information from respondents, then the respondents would not be able to request authorization or conduct any sUAS operations in controlled airspace. As different circumstances apply at different times, for example if a TFR is in place, respondents must request an authorization each time they wish to conduct an operation.

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

There are no special circumstances for this information collection.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the 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.

A Federal Register Notice published on February 18, 2022 (87 FR 9414) solicited public comment. The FAA received three comments from the public. Two were supportive. The first was anonymous and expressed approval of the collection. The second supportive comment was from Airlines for America, which noted that the collection of such information can be used in furtherance of the FAA's regulatory approach for the seamless integration of UAS operations in the National Airspace System (NAS). Airlines for America commented that FAA must ensure adequate safety precautions to avoid collisions of UAS with manned aircraft and that the proposed collection will help identify compliant from noncompliant operations and further this safety model.

The final comment was from the Air Line Pilots Association, International (ALPA), which commented that the collection of information to process authorization requests has not been subject to sufficient safety risk evaluation and therefore cannot be fully determined whether the information collected is adequate to verify if safe operations can be conducted. Further, ALPA commented that it believes the FAA's current minimum requirements for information in a Low Altitude Authorization and Notification Capability (LAANC) application are not sufficient. According to ALPA, additional information including aircraft registration, make and model information, and post-flight information should be collected. In this Information Collection renewal request, the FAA proposes to use LAANC and the web portal to collect information that provides a means for small UAS operators operating under § 44809 to comply with § 44809's established requirements and safety processes. This proposed information collection is sufficient to meet safety standards and captures essential information.

ALPA also commented that the FAA has not determined through its Safety Management System process the risk that UAS operating in controlled airspace introduce to the NAS and, therefore, ALPA is unable to determine if the information collected is adequate. This second category of comments is substantially the same as comments that ALPA submitted in response to Information Collection 2120-0768's 60 Day Notice published on February 12, 2018 (83 FR 6082) and to the Notice of Proposed Rule Making that was eventually implemented as a final rule at 81 FR 42063 on June

28, 2016 and codified as 14 C.F.R. Part 107. The FAA analyzed the proposed information to be collected under § 44809 and determined that the information is adequate for the FAA to meet safety standards.

Additionally, the FAA hosts regular meetings with USSs who directly communicate with respondents. In these meetings the authorization requests and required information is discussed. The FAA received confirmation from the USSs that the information is sufficient and no comments are received from respondents that the information requested is inappropriate or burdensome.

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

No gifts or payments are provided to respondents.

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

There is no assurance of confidentiality provided to respondents.

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.

The only information collected that may be considered “sensitive in nature” is the personal information associated with the sUAS operation (aircraft operator name, telephone number, email address, and optionally provided registration number). This personal information is limited to what is necessary for the FAA to contact sUAS operators in the event of a hazardous condition or if any other situation arises that requires a sUAS operator to cease the flight operation. Records subject to the Privacy Act will be managed in accordance with the Department of Transportation system of records notice (SORN) DOT/FAA 854 – Small Unmanned Aircraft Systems (sUAS) Waivers and Authorizations (84 FR 32512, July 8, 2019).

12. Provide estimates of the hour burden of the collection of information. The statement should:

Respondents can submit airspace authorization requests through either LAANC or the web portal. The burden on respondents is intertwined between the two collection activities and will be addressed together in Table 1 below. The FAA estimates that the

average requests submitted through LAANC takes five minutes to complete and that the average request through the web portal takes thirty minutes to complete.

Previously, 2120-0776 was approved for 339,988 annual responses and 49,299 annual burden hours. Respondents were fewer than approved, but there was a significant increase in respondents from 2020 to 2021. 2020 had 127,794 total respondents and 2021 had 189,569 respondents, which was an increase of 48.4%. It is possible that the Covid-19 pandemic was a cause for the 2020 numbers.

The FAA Aerospace Forecast, Fiscal Years 2021-2041⁴ projects that the number of sUAS operators will continue to increase over the next three years. Additionally, a number of new regulations including night operations and operations over people has added to the types of sUAS operations allowable under the law. The FAA is also exploring regulations for beyond visual line of sight⁵. Given this, the FAA estimates that sUAS respondents under 2120-0776 will continue to increase beyond the 2021 numbers.

For the purpose of this renewal request, the FAA estimates that the number of respondents will increase at a rate of 15% year over year from the 2021 numbers. This is an estimate that is meant to accurately capture the total number of potential respondents, the forecasted increase in sUAS operators, and the increased number of ways in which sUAS respondents may be able to conduct sUAS operations.

Under § 44809, 98.9% of 31,351 requests in 2019 were through LAANC, 95.6% of the 127,798 requests in 2020 were through LAANC, and 97.8% of the 189,659 requests in 2021 were through LAANC. Across all times since 2120-0776 was approved, 97.1% of the total 348,808 requests were through LAANC. For this renewal request, the FAA estimates that 97.1% of the requests will go through LAANC and 2.9% of the requests will go through the web portal.

See Table 1, below, for an estimated calculation on the burden hours on respondents requesting airspace authorizations.

Table 1. Burden on Respondents using Web Portal and LAANC.

Period	Respondents	LAANC Submissions	Web Portal Submissions	Burden (hours)
Year 1	218,108	218,108(.971)	218,108(.029) =	211,783(.0

⁴ https://www.faa.gov/data_research/aviation/aerospace_forecasts/media/FY2021-41_FAA_Aerospace_Forecast.pdf

⁵ https://www.faa.gov/regulations_policies/rulemaking/committees/documents/index.cfm/committee/browse/committeeID/837

(July 2022 – July 2023)		= 211,783	6,325	83) +6,345(.5) = 20,741 hours
Year 2 (July 2023 – July 2024)	250,824	250,824(.971) = 243,550	250,824(.029) = 7,274	243,550(.083) + 7,274(.5) = 23,852 hours
Year 3 (July 2024 – July 2025)	288,448	288,448(.971) = 280,083	288,448(.029) = 8,365	280,083(.083) + 8,365(.5) = 27,430
Total	757,380	757,380(.971) = 735,416	757,380(.029) = 21,964	735,416(.083) + 21,964(.5) = 72,022 hours
Annual Average	252,460	245,139	7,321	24,007

Respondents must use an appropriate web-capable electronic device (e.g., computer or smart phone) to request authorization via the web portal or LAANC. The FAA estimates that the annual burden hours on respondents will be 24,007 (20,346 for LAANC respondents and 3,661 for web portal respondents). The FAA calculates the average wage of respondents to be \$39.50/hour. This number is based on the average wage across all occupations as outlined in the U.S. Bureau of Labor Statistics “Employer Costs for Employee Compensation – December 2021⁶”, which calculates the average wage at \$33.76 across all occupations. This wage includes fringe benefits, but not costs for overhead. The FAA increased the hourly wage by 17 percent to account for overhead costs such as rent, utilities, and office equipment⁷ for a total wage of \$39.50. Based on the annual estimate of 24,007 hours, the total cost will be \$948,276.50 (\$803,667 for LAANC respondents and \$144,609.50 for web portal respondents).

⁶ See, <https://www.bls.gov/news.release/pdf/ecec.pdf>

⁷ Source: Cody Rice, U.S. Environmental Protection Agency, “Wage Rates for Economic Analyses of the Toxics Release Inventory Program” (June 10, 2002), <https://www.regulations.gov/document?D=EPA-HQ-OPPT-2014-0650-0005>

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

LAANC

The FAA assesses no charge to respondents who request authorizations using LAANC. An individual USS may assess a fee to a respondent to submit a request through its individual service. This is determined by the USS provider. There are multiple publicly available USSs that do not charge a fee to sUAS respondents.

Web Portal

There is no fee to respondents to use the web portal to request authorizations.

14. Provide estimates of annualized costs to the Federal government. Also, provide a description of the method used to estimate cost, which should include 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.

LAANC and the web portal share resources and the costs are intertwined between the two programs. This sharing of resources allows the FAA to save money on cloud hosting fees and other sustainment costs. Additionally, the development of LAANC should result in reduced number of contractors evaluating authorization requests submitted via the web portal. The following costs have been broken out according to (1) system sustainment and maintenance and (2) personnel costs.

System Sustainment and Maintenance

The estimated cost of system sustainment and maintenance for both systems is captured in Table 4.

Table 4. Estimated System Sustainment and Maintenance Costs

	2022	2023	2024
Web Portal Sustainment	\$2,000,000	\$2,060,000	\$2,121,800
LAANC	\$3,005,00	\$4,924,796	\$4,759,595

Sustainment	0		
Total	\$5,005,000	\$6,984,796	\$6,881,395

Personnel Costs

The FAA currently employs resources at the equivalent of 2.0 FTE to process airspace authorization requests under 49 U.S.C. § 44809. The cost of these resources is \$160,000 per year and the FAA anticipates the equivalent of 2.0 FTE will remain constant throughout the requested approval period. As part of this estimate, the FAA will apply the 2.2% annual increase per the Office of Personnel’s Salary Table for 2022.

Table 5. Cost of Resources to Process Airspace Authorization Requests.

ATO	2022	2023	2024	Total
Federal Employees	2 employees x \$160,000 = \$320,000.00	2 employees x \$163,520= \$327,040	2 employees x \$167,117.44= \$334,234.88	\$981,274.88

The total cost to the government including both employee costs and system sustainment and maintenance cost is \$7,862,669.88 or \$2,620,889.96 per year

15. Explain the reasons for any program changes or adjustments.

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This collection activity was new to the FAA in 2019 and the operation of sUAS in the National Airspace is relatively new with activity like this approved for the first time in 2017. Now that the FAA has processed airspace authorization requests under for nearly three years a clearer picture of the number of authorization requests exists and the FAA is reducing its estimate of the total number of respondents due to there being a lower percentage of respondents requesting airspace authorizations under 49 U.S.C. § 44809 than was anticipated in 2019. The FAA is also reducing the burden hour allocation between LAANC and the web portal as a higher percentage of respondents are using LAANC, which estimates to take 5 minutes per transaction, vs. the web portal, which estimates to take 30 minutes per transaction. The screenshots for the web portal were also updated to reflect the new user interface.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The FAA will not be publishing any data related to airspace authorizations or requests for authorizations covered by this request to collect information.

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

The FAA is not seeking approval not to display the date of expiration of this information collection.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement for this information collection.