

Supporting Statement A
Bipartisan Infrastructure Law Airport Terminal and Tower Information
OMB 2120-0806

This approval is for renewal of the collection to solicit the data necessary to help the Federal Aviation Administration (FAA) evaluate and select airport terminal and tower projects for funding under the Bipartisan Infrastructure Law (BIL), signed on November 15, 2021. The FAA previously requested emergency approval to meet the timeline set by Congress for announcing availability of funds and soliciting project information. As the law provides for 5 years of funding, the FAA needs approval beyond the 6 months allowed under an emergency approval. This Supporting Statement is for a standard 3-year approval.

Based on the number of applicants who responded to the first round of funding for BIL grants, we have increased the number of expected annual applications from 510 to 755. This has resulted in a corresponding increase in both the expected annual burden and annualized cost to airports.

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

The Bipartisan Infrastructure Law (BIL) (P.L. 117-58)¹ was signed on November 15, 2021, and provides \$1,020,000,000 annually, for five years, to award competitive discretionary grants for airport terminal and tower development. Of this amount, about \$1,000,000,000 annually is for the Airport Terminal Program (ATP), and \$20,000,000 annually is for an Airport-owned Contract Tower Program (FCT).

The BIL instructed the Federal Aviation Administration (FAA) to fund Airport Terminal and Tower projects each year for 5 years. The FAA will issue an annual notice of funding opportunity (NOFO) to request ATP and FCT funding applications. This information will be collected on a FAA Form 5100-144, Bipartisan Infrastructure Law, Airport Terminal and Tower Project Information. The collected information is required for the FAA to evaluate and distribute BIL funds to address aging infrastructure at the nation's airports.

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 FAA is collecting project information to help with the selection of projects to be funded by the BIL Airport Terminal and Tower programs. Airport owners and managers (sponsors) who elect to compete for funding and obtain benefits from the BIL Airport Terminal and Tower programs will submit project information. The information collected is based on grant considerations outlined in the BIL. Some 3,075 airports are eligible to participate in the BIL Airport Terminal Program and about 170 for the Tower Program, though not all will have a project that fits the criteria outlined in the BIL. In response to the first NOFOs for the BIL ATP and FCT programs, 755 applications were received. We expect approximately the same number of applications annually.

¹ Full text available at www.congress.gov/bill/117th-congress/house-bill/3684/text

The FAA will use information submitted on FAA Form 5100-144, Bipartisan Infrastructure Law, Airport Terminal and Tower project Information, to evaluate and select projects for funding that most closely align with the considerations in the BIL. The information FAA is collecting will include general airport information, a project overview, and narratives on project consideration areas which are specifically outlined in the BIL. Project consideration areas include increasing terminal capacity and passenger access; replacing aging infrastructure; achieving compliance with the Americans with Disabilities Act (42 U.S.C. 12101, et seq.) and expanding accessibility for persons with disabilities; improving airport access for historically disadvantaged populations; improving energy efficiency, including upgrading environmental systems, upgrading plant facilities, and achieving Leadership in Energy and Environmental Design (LEED) accreditation standards; improving airfield safety through terminal relocation; encouraging actual and potential competition; and creating good paying jobs.

Project information will be solicited through a NOFO and collected via a fillable/fileable PDF (FAA Form 5100-144). FAA Office of Airports (ARP) will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with FAA standards for confidentiality, privacy, and electronic information.

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.

The FAA will collect information via a fillable/fileable PDF form (FAA Form 5100-144). The PDF form allows digital signatures and includes a “submit” button that generates an email with the completed form attached and that provides submission contact information. The information submitted will automatically be aggregated for review, evaluation, and project selection.

Form 5100-144 will be available at <https://www.faa.gov/forms/index.cfm/go/document.current/documentNumber/5100-144> and, when the programs are accepting applications, from the BIL Airport Terminals Program and Airport Infrastructure Program webpages (<https://www.faa.gov/bil/airport-terminals> and <https://www.faa.gov/bil/airport-infrastructure>, respectively).

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.

This collection is related to the BIL Airport Terminal and Tower programs, which have specific considerations for project selection as outlined in the BIL. While the FAA collects airport project information for the Airport Improvement Program (OMB collection 2120-0569)², the project eligibility and criteria for BIL is unique. Other than basic airport identification data, such as name and address, the information collected is unique.

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

The FAA is collecting the minimum amount of information needed so as not to

² For more information on the Airport Improvement Program, see [Airport Improvement Program \(AIP\) - Airports](#).

overburden small entities and will provide guidance and assistance as necessary through FAA ARP field offices.³

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.

Failure to collect project information related to the BIL Airport Terminal and Tower programs will result in non-compliance with the BIL, prevent distribution of the funds in accordance with the law, and not allow the FAA to address aging infrastructure at the nation's airports. Collecting information less than annually would prevent the FAA from making funding decisions based on accurate, complete, and current information.

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

- requiring respondents to report information to the agency more often than quarterly;
- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- requiring respondents to submit more than an original and two copies of any document;
- requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;
- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;
- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or
- requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

There are no special circumstances associated with this 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.

³ For FAA Airports field offices, see https://www.faa.gov/about/office_org/headquarters_offices/arp/offices/regional_offices.

The FAA published a 60-day Federal Register Notice (FRN) seeking comment on a renewed approval for collection on May 6, 2022 (87 FR 27200). No comments were received.

The FAA did receive comments from airports during the application process, particularly about character limits applied to certain fields. Applicants reported they would prefer more space as it was difficult to edit responses to conform to the character limits. As discussed in Question 15, we expanded these fields in response to these concerns.

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

The FAA will not provide gifts or remuneration.

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

No assurance of confidentiality is given 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 FAA will not ask questions of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

The FAA anticipates the total annualized burden to airports to be 4,530 hours and the total annualized cost to these airports to be \$543,600.

Although approximately 3,075 airports are eligible to participate in the BIL Airport Terminal Program and about 170 for the Tower Program, we expect far fewer to apply. In response to the first annual NOFOs issued for these programs, we received 755 applications. We estimate that a similar number of airports will apply in future years for these competitive grants. Submission of information under the Airport Terminal and Tower programs is voluntary but required to receive funding.

The time needed to complete the form will vary depending on the complexity of the requested project, but we estimate that the average time required to complete the application will be 6 hours.

$$755 \text{ applications} \times 6 \text{ hours} = 4,530 \text{ hours}$$

This cost estimate is based on a combination of airport planners, engineers, and managers contributing to the request. The mean hourly pay for these employees⁴ is

⁴ Based on Occupation 53-2000, BLS Occupational Employment Statistics for Transportation, 2021. See https://www.bls.gov/oes/current/oes_nat.htm. Hourly wage was calculated by dividing the mean annual wage of \$119,590 by 2000 hours (50 weeks at 40 hours per week).

\$60 (rounded), multiplied by 2 to account for benefits plus other overhead costs such as rent, utilities, and office equipment,⁵ for a fully-loaded hourly wage of \$120.

$$4,530 \times \$120 = \$543,600$$

Summary (Annual Numbers)	Reporting	Recordkeeping	Disclosure
# of Applications	755		
# of Responses per respondent	1		
Hours per Response	6		
Total # of responses	755		
Total burden (hours)	4,530		

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

There are no expected material costs to respondents.

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.

The total estimated annualized cost to the Federal government is \$483,200.

To determine the annualized cost to the Federal government, we used the position of Management and Program Analyst, 343 series, or equivalent, which is typical for FAA staff across the country who will evaluate submitted projects and process the data received from airports. We expect each Management and Program Analyst will spend an average of 4 hours per submission. The hourly pay for a federal Management and Program Analyst is \$48 (rounded),⁶ multiplied by 2 to account for benefits plus other overhead costs such as rent, utilities, and office equipment,⁷ for a fully-loaded hourly wage of \$96.

$$755 \text{ applications} \times 4 \text{ hours} \times \$96 = \$289,920$$

There will also be management involvement in project rating and selection, and the estimated management time per project is 2 hours per submission. The hourly wage for a Manager is \$64 (rounded),⁸ multiplied by 2 to account for benefits plus other overhead

⁵ U.S. Department of Health and Human Services, Guidelines for Regulatory Impact Analysis, Table 4.2, Constructing Default Estimates of the Value of Time, 2016. See https://aspe.hhs.gov/system/files/pdf/242926/HHS_RIAGuidance.pdf.

⁶ Occupation 13-1111, BLS Occupational Employment Statistics, Federal Executive Branch, 2021. See <https://www.bls.gov/oes/current/oes131111.htm>.

⁷ U.S. Department of Health and Human Services, Guidelines for Regulatory Impact Analysis, Table 4.2, Constructing Default Estimates of the Value of Time, 2016. See https://aspe.hhs.gov/system/files/pdf/242926/HHS_RIAGuidance.pdf.

costs such as rent, utilities, and office equipment, for a fully-loaded hourly wage of \$128.

755 applications X 2 hour X \$128=\$193,280

The total cost to the Federal government is the staff cost of \$289,920 plus the management cost of \$193,280 for a total cost of \$483,200.

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

Based on the number of applicants who responded to the first round of funding for BIL grants, we have increased the number of expected annual applicants from 510 to 755. This has resulted in a corresponding increase in both the expected annual burden and annualized cost to airports.

The FAA made small adjustments to FAA Form 5100-144, used for collecting BIL Terminal and Tower programs information, to address program needs and applicant concerns. A few, short answer questions were added to collect information about the current stage of a project to be funded (check box), the date project costs were known (date field), and the age of a tower (short text field). The form also removes a question about current enplanements and consolidates a question about Tower Program Consolidations. The FAA also adjusted some fields to allow respondents to provide more information to certain questions. Character limits in the open-response fields in the Program Considerations (Terminal and Tower) section were expanded from 300 to 450 characters. The Project Description field was also expanded from “75 words or less” to 600 characters. We made the character limit adjustments in response to requests from applicants, who found it difficult and more burdensome to edit down the requested information to fit the previous limits.

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 project information submitted under this collection will not be published. However, once funding decisions are made, the FAA will publish a list of projects funded under the BIL Airport Terminal and Tower programs on the FAA website.⁹

The FAA will collect project information once a year for the life of BIL (currently five years). The opportunity to submit funding requests will be open for 30-45 days. Project information will be reviewed and projects selected approximately 90 days after the deadline for project submission.

⁸ Occupation 11-0000, BLS Occupational Employment Statistics, Federal Executive Branch, 2021. See https://www.bls.gov/oes/current/naics4_999100.htm#11-0000.

⁹ See [Bipartisan Infrastructure Law | Federal Aviation Administration \(faa.gov\)](#).

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.

We are not seeking approval to not display the expiration date.

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

There are no exceptions.