

**Supporting Statement for Renewal of
Paperwork Reduction Act Submission
OMB #2120-0668**

Justification for
FAA Form 1200-5
National Airspace System (NAS) Data Release Request

Minor adjustments to Form 1200-5 are required to align with updated NAS Data Release Board (NDRB) processes and procedures. The form was used to collect information to support NAS data release requests from both internal FAA information systems and external entities. The form no longer is required for internal FAA information systems, so question(s) for these types of requests are removed (e.g., “Indicate if you have an approved NAS Change Proposal,” etc.). The form is now streamlined to support requests only from external entities that desire access to NAS data on FAA systems and equipment.

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.

This information must be collected to enable the FAA to evaluate the “need to know” of a request for NAS data from FAA systems and equipment. The information provided by the requestor is evaluated by the FAA NAS Data Release Board (NDRB) to approve or disapprove requests for NAS data, consistent with FAA Order 1200.22E, *External Requests for National Airspace System Data* (attached).

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 used by the FAA NDRB to evaluate the “need to know” of a request for NAS data from FAA systems and equipment. The FAA makes certain types and forms of NAS data available via the publicly accessible FAA Data Portal (<https://www.faa.gov/data/>). However, NAS data available via the FAA Data Portal may not satisfy the specific needs for NAS data of some external users. For example, external users of NAS data may need: NAS data sets that are not currently available via the FAA Data Portal; or sensitive NAS data that is not provided via the publicly available FAA Data Portal; or access to NAS data via a method other than through the FAA Data Portal, such as via a direct connection to FAA infrastructure. When a data requestor cannot otherwise obtain NAS data that meets their needs via the FAA Data Portal, they can submit a specific request to the FAA for NAS data using Form 1200-5, NAS Data Release Request.

The information provided by the requestor is evaluated by the FAA NDRB to approve or disapprove requests for NAS data. This submission includes information about the entity requesting the NAS data to determine their “need to know” for the NAS data, the sensitivity of NAS data requested, the intended purpose and rationale for requiring the NAS data, and who within the requesting organization will have access to the data, including the scope and nature of work the employee will perform. All the information is collected for a practical and necessary purpose. The information collected is and has been used to evaluate the “need to know” of a request for NAS data from FAA systems and equipment. The information collected is not and will not be disseminated to the public.

This information collection is required to obtain or retain a benefit, which is to obtain NAS data from the FAA. The information requested is used by the NDRB to determine if the requestor has the “duty to protect” the requested NAS data and can adhere to FAA policy, standards, protocols, and security control measures for accessing and handling NAS data. This is particularly applicable when the requestor is asking for access to sensitive NAS data, or when the requestor wants access to NAS data via a direct connection to FAA infrastructure. If the requestor requests sensitive data, they must demonstrate a legitimate “need to know” for receiving the sensitive data and demonstrate that they can meet the “duty to protect” requirement, in accordance with FAA Order 1600.75, *Protecting Sensitive Unclassified Information (SUI)*. If the requestor wants access to NAS data via a direct connection to FAA infrastructure, they must demonstrate that they can meet all NAS data protection requirements for physical security and cybersecurity, in accordance with FAA Order 1370.121, *FAA Information Security and Privacy: Policy*.

The entities who must provide the information are anyone requesting NAS data from the FAA. The collection is an application form, and collection frequency is as needed, depending on how often requests for NAS data are submitted to the FAA. The information that is maintained in FAA records is any information collected on Form 1200-5. The only people who receive the information are FAA personnel who evaluate the “need to know” of the request; information is not otherwise disclosed or shared.

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, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

The collection form is provided by the NDRB Secretariat to the requestor in PDF format. The PDF is online at https://www.faa.gov/documentLibrary/media/form/faa_form_1200-5_exp_11_30_2024.pdf. Form 1200-5 is also included as an appendix in the publicly accessible FAA Order 1200.22E, *External Requests for National Airspace System (NAS) Data*. The order states that Form 1200-5 is used for requests for NAS data, and that the NDRB is the

single point of contact for NAS data release policy implementation and administration. The completed form may be submitted to the NDRB Secretariat in PDF format and by email. Any additional supporting documentation may also be submitted in electronic format by email. Allowing the form and the supporting documentation to be submitted electronically is consistent with the Government Paperwork Elimination Act (GPEA). The results of the information collection are not made available to the public.

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.

Each request for NAS data is unique, by need and by requestor. Therefore, the specific information collected is also unique to each request. There are no other similar information collections that can be modified for the purposes described in Item 2 since the information collected must be specific to each unique request for NAS data. This type of information does not exist in any other form since the FAA does not routinely release data to any parties unless a specific need is cited and justified. The FAA only releases NAS data for specific needs, on a case-by-case basis.

No other agencies are collecting information that is specific to each unique request for NAS data. The FAA is the only government agency authorized to release FAA NAS data to requestors for commercial use and application. No other federal, state, or local agency is authorized to release NAS data. Accordingly, no other entity that is conducting a data collection for the purposes of addressing a unique request for NAS data. There is no other data collection that is a duplication of this data collection.

The FAA policy authorizing this release is FAA Order 1200.22E (attached). The policy specifies that the FAA AJR is the OPR for this data collection; no other office within the FAA collects this data, as specified by this policy. Therefore, there is no duplication of this data collection effort within the FAA.

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

The burden of data collection has been minimized by ensuring that the level of effort to complete the form is reasonable for a small business. The data requestor will need approximately one hour to supply the information requested on Form 1200-5. The data requestor will fill out the form and provide the requested additional documentation from company records. The form comes with instructions to provide clear guidance to the requestor. This eliminates the need for the requestor to contact the NDRB Secretariat for guidance, a step that would increase the time and effort needed to submit the request.

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 always had the requirement to collect information from requestors of NAS data. The information collection is necessary to determine the “need to know” of a request for NAS data from FAA systems and equipment, in accordance with FAA Order 1200.22E. The FAA must determine on a case-by-case basis if the requestor is making a reasonable, valid request for FAA NAS data. The FAA will not release NAS data to any party that will not provide the required information in FAA Form 1200-5. Data requestors are only asked to provide information pertinent to their request, to reduce the burden on the requestor.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with 1320.5(d)(2).

This information collection is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Describe efforts made to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format (if any) and the data elements to be recorded, disclosed, or reported.

A Federal Register Notice was published on March 8, 2024, to solicit public comment. The public comment period closed on May 7, 2024, and no public comments were received. No other additional communications or feedback was received from any stakeholders from outside the agency.

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

The FAA does not provide any gifts or make any payments to the respondents for information submissions.

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

The only people who receive the information are FAA personnel who evaluate the “need to know” of a request for NAS data from FAA systems and equipment; information is not otherwise disclosed or shared. All requests for NAS data are handled consistent with FAA Order 1370.121, *FAA Information Security and Privacy: Policy* and FAA Order 1600.75, *Protecting Sensitive Unclassified Information (SUI)*. Since the information collected is for a business or organization, not for an individual, an FAA Privacy Act Statement is not required for the form. Information provided by requestors that is marked as business sensitive, confidential, proprietary, or trade secret must be protected from unauthorized disclosure, consistent with FAA Order 1600.75.

11. Provide justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No questions of a sensitive nature are asked.

12. Provide estimates of the hour burden of the collection of information. This statement should: Provide number of respondents, frequency of response, annual burden, and an explanation of how the burden was estimated.

Versions of this form have been in use since 2002. Based on the history of using this form, we estimate that the data requestor will need approximately one hour to supply the information requested on Form 1200-5. The data requestor will fill out the form and provide the requested additional documentation from company records. Based on the history of using this form, we estimate that we will receive 9 requests per year for NAS data using Form 1200-5. **The annual burden on these requests is approximately 9 hours total.** This is consistent with estimates of the burden for the information collection for previous OMB information collection renewals.

Summary (Annual numbers)	Reportin g	Recordkeepin g	Disclosur e
# of Respondents	9		
# of Responses per respondent	1		
Time per Response	1 hour	N/A	N/A
Total # of responses	9		
Total burden (hours)	9	N/A	N/A

There is only one IC for this data collection. Therefore, the above burden table is also the total burden summary table for this data collection.

We assume that anyone from a secretary to a vice-president in industry might complete the form. We estimate the labor cost using a mid-grade labor category, roughly halfway between that of secretary and vice-president. This is approximately equivalent to a federal civilian employee pay scale of Grade 14, Step 8. From the OPM 2024 General Schedule, this translates to a labor rate of \$61.82/hour¹. The U.S. Small Business

¹ https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/24Tables/html/GS_h.aspx

Administration estimates that the actual cost to any organization (not only small businesses) is 1.25 to 1.4 times the labor rate, which includes the cost to the organization of fringe benefits and other overhead costs². The cost to the respondent is estimated at 1.33 X \$61.82/hour which equals \$82.22/hour. **The estimated total annual cost burden to respondents resulting from the collection of information is \$739.98 = (9 hours X \$82.22/hour).**

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

No additional costs to the respondent are required, outside of the estimates under Question 12.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses, and any other expense that would not have been incurred without this collection of information.

Cumulative total cost to the Federal Government: **\$600,159**

The cost breakdown is as follows:

Cost of 1200-5 Form Processing

The NDRB Secretariat processes the 1200-5 form when it is received from the data requestor to ensure all requested information has been provided. The time to process each form when it is received is approximately 0.5 hours.

0.5 hours X 9 requests = 4.5 hours to process forms

We assume that the NDRB Secretariat labor rate is equivalent to the federal civilian employee pay scale of Grade 14, Step 8. From the OPM 2024 General Schedule, this translates to a labor rate of \$61.82/hour. The cost to the FAA is estimated at 1.33 X \$61.82/hour which equals \$82.22/hour. This includes the cost to the FAA of fringe benefits and other overhead costs.

\$82.22 x 4.5 = \$369.99 = Total Costs of Form Processing

Cost of NAS Data Release Board (NDRB) Evaluation

The NDRB meets to approve or disapprove requests for NAS data 12 times per year for one hour per meeting. FAA attendees at the NDRB meetings include the NDRB Secretariat, seven NDRB Evaluators, and the NDRB Chair.

Nine attendees X 1 hour X 12 meetings per year = 108 hours per year

² <https://www.sba.gov/blog/how-much-does-employee-cost-you>

In addition, each NDRB Evaluator spends approximately three hours outside of NDRB meetings reviewing each NAS data request.

Seven NDRB Evaluators X 3 hours per request X 9 requests = 189 hours per year

We assume that the average labor rate of FAA attendees at NDRB meetings, including NDRB Evaluators, is equivalent to the federal civilian employee pay scale of Grade 14, Step 8. From the OPM 2024 General Schedule, this translates to a labor rate of \$61.82/hour. The cost to the FAA is estimated at 1.33 X \$61.82/hour which equals \$82.22/hour. This includes the cost to the FAA of fringe benefits and overhead costs.

\$82.22 x (108+189) hours = \$24,419.34 = Total Costs of NDRB Evaluation

Costs of Contract Support to NDRB Meetings/Evaluation and to Respond to Requests for NAS Data

We assume that the labor rate of contract support to the FAA to support NDRB meetings and evaluation and to respond to requests for NAS data is approximately equivalent to a federal civilian employee pay scale of Grade 13, Step 5. From the OPM 2024 General Schedule, this translates to a labor rate of \$48.07/hour. The cost to the FAA is estimated at 1.33 X \$48.07/hour which equals \$63.93/hour. This includes the cost to the FAA of the contractor fringe benefits and overhead costs. The FAA utilizes approximately 1000 hours of contract support for each request of NAS data.

\$63.93/hr X 1000 hrs X 9 requests = \$575,370 = Total Costs of Contract Support

(NDRB)	+	(Contract Support)	+	(Form Handling)	= Total FAA Costs
\$24,419	+	\$575,370	+	\$370	= \$600,159

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

For Form 1200-5, there are minor adjustments in data collection requirements. The data collection requirements no longer include internal FAA systems and focus on requirements to evaluate external requests for NAS data. For the existing requirements, the cost burden to both data requestors and to the FAA has been updated to reflect 2024 labor rates. In addition, the costs to the federal government reflect that fewer requests for NAS data come to the FAA (compared to the usage of this form in 2020, when this data collection was last renewed).

16. For collection of information whose results will be published, outline plans for tabulation and publication.

The results of this information collection will not be published.

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

No exemption is requested.

18. Explain each exception to the certification statement identified in Item 19, “Certification of the Paperwork Reduction Act Submissions” of the OMB Form 83-1.

There are no exceptions to the certification statement identified in Item 19 of the OMB Form 83-1.