



U.S. Department
of Transportation
**Federal Aviation
Administration**

Office of the Chief Counsel

800 Independence Ave., S.W.
Washington, D.C. 20591

November 12, 2025

Tyler Glotfelty
OMB Desk Officer
Office of Information and Regulatory Affairs
Office of Management and Budget
Executive Office of the President

Re: Emergency Paperwork Reduction Act Clearance

Dear Sir:

This is a request to the Office of Management and Budget (OMB) for emergency clearance for a new Information Collection Request (ICR) to enable the Federal Aviation Administration (FAA) to collect information from certain air carriers regarding reduced operations at certain airports as required by the FAA's Cancellation and Replacement of Emergency Order Establishing Operating Limitations on the Use of Navigable Airspace.

Because of the continued lapse in appropriations, the FAA has experienced increasing air traffic controller staffing constraints. Therefore, the FAA's Office of Aviation Safety (AVS) and Air Traffic Organization (ATO) reviewed, monitored, and evaluated air traffic control safety. As part of this review, the FAA assessed voluntary safety reports submitted for the month of October. The reports indicated users of the National Airspace System (NAS) had concerns about its performance even with current mitigations in place. The FAA has also observed evidence of increased stress on the NAS in aviation safety data, particularly at 40 high traffic airports.

This data prompted the FAA to issue the Emergency Order Establishing Operating Limitations on the Use of Navigable Airspace on November 7, 2025 (November 7 Emergency Order), to mitigate safety concerns and address ATC stressors. As part of this November 7 Emergency Order, the FAA required certain air carriers operating at the 40 high traffic airports to reduce their total daily scheduled domestic operations between 6:00 a.m. and 10:00 p.m. local by 10 percent, subject to the provisions set forth in this Emergency Order. One of the provisions required the air carriers to "submit a list of reduced operations to the FAA Slot Administration" and daily thereafter. 90 FR 50884 (Nov. 12, 2025). The FAA is in the process of canceling and replacing the November 7 Emergency Order to reduce the reduction rate to 6 percent. The revised Order should be signed on November 12, 2025 (November 12 Emergency Order).

Critical Nature of the Information Collection Request

The FAA Administrator has broad authority to ensure the safety of aircraft and the efficient use of the nation's navigable airspace. In carrying out the Administrator's safety and efficiency responsibilities under the statute, the Administrator must: (1) assign, maintain, and enhance safety and security as the highest priorities in air commerce, and (2) control the use of the

navigable airspace and regulate civil operations in that airspace in the interest of the safety and efficiency of those operations.¹ Safety and efficiency of the NAS is essential to the FAA's mission. The data allows the FAA to ensure the rate reduction is achieved to alleviate stressors on the air traffic control system.

The federal government and its workforce are experiencing a lapse in appropriations that has continued for an unprecedented number of days. As a result, air traffic controllers have been working without pay since October 3, 2025, and the FAA has experienced increasing air traffic controller staffing constraints. AVS's review of safety reports submitted in the month of October, other factors as described further in the attached November 7 Emergency Order, indicated increased stress on the NAS. The FAA issued its November 7 Emergency Order to mitigate risks to the NAS and improve airspace efficiency.

In addition, the data allows the DOT and FAA to know which travelers and communities are impacted by the reductions. Based upon those impacts, the FAA may reject or direct modifications to such reductions to prevent unacceptable disproportionate impacts to flight availability including regional routes and Essential Air Service and to ensure even distribution of reductions throughout the day at each airport. The FAA is requesting an emergency PRA approval because of the safety risk presented by the stress placed on the ATC system by the additional operations.

Need for Emergency Approval

The immediate collection of data from air carriers reporting their reduced operations is critical so that the FAA can properly monitor carriers' compliance with the Emergency Order. The use of the normal clearance procedures for the ICR approval will prevent the FAA from obtaining critical data that it will use to manage risk to the NAS created by an unprecedented lapse in appropriations and resulting staffing shortages.

According to 5 CFR 1320.13, agencies may request emergency approval "...accompanied by written determination that:

- (1) The collection of information:
 - (i) Is needed prior to the expiration of time periods established under this Part; and
 - (ii) Is essential to the mission of the agency; and
- (2) The agency cannot reasonably comply with the normal clearance procedures under this part because:
 - (i) Public harm is reasonably likely to result if normal clearance procedures are followed;
 - (ii) An unanticipated event has occurred; or
 - (iii) The use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information or is reasonably likely to cause a statutory or court ordered deadline to be missed.

¹ 49 U.S.C. §§ 40101(d)(1) and (4).

- (b) The agency shall state the time period within which OMB should approve or disapprove the collection of information.
- (c) The agency shall submit information indicating that it has taken all practicable steps to consult with interested agencies and members of the public in order to minimize the burden of the collection of information.
- (d) The agency shall set forth in the Federal Register notice prescribed by § 1320.5(a)(1)(iv), unless waived or modified under this section, a statement that it is requesting emergency processing, and the time period stated under paragraph (b) of this section.
- (e) OMB shall approve or disapprove each such submission within the time period stated under paragraph (b) of this section, provided that such time period is consistent with the purposes of this Act.
- (f) If OMB approves the collection of information, it shall assign a control number valid for a maximum of 90 days after receipt of the agency submission.”

Collection of data must occur immediately upon the Emergency Order’s effective date to allow the FAA the required insight into carriers’ compliance with the Emergency Order. Public harm is reasonably likely to result if normal clearance processes are followed and the FAA is unable to receive timely data regarding carriers’ reductions in operations. In addition, the need for the requested data arose from an unanticipated event—a lapse in appropriations that has continued for an unprecedented number of days, resulting in staffing constraints for air traffic controllers. The FAA has worked with responding carriers to minimize their burden of producing lists of reduced operations. For example, the FAA provided a standardized format that can be used by all carriers submitting their reduction list. The FAA will continue to work with carriers to identify other ways, if feasible, to minimize the burden.

Due to the urgency of the FAA’s data requirements and potential risks to public safety in any delay, the FAA respectfully asks OMB for emergency approval of the ICR within 24 hours of receipt of this letter.

If you have any questions regarding this request, please contact Lynsey Scott at lynsey.scott@faa.gov or 202-445-1353.

Sincerely,



William McKenna
FAA Chief Counsel