

Department of Transportation
SUPPORTING STATEMENT
REPORTING REQUIREMENTS FOR DISABILITY-RELATED
COMPLAINTS
OMB Control No. 2105-0551
January 30, 2026

Summary

- DOT requests the Office of Management and Budget's (OMB) renewal for three years of three previously approved information collections under OMB Control No. 2105-0551 covering airline recordkeeping and reporting of information about disability-related complaints filed by aviation consumers. The current expiration date for the information collections is January 31, 2026.
- The information is required for the U.S. Department of Transportation (the Department or DOT) to fulfill its statutory obligations to regularly review all complaints received by air carriers alleging discrimination on the basis of disability and report annually to Congress on the results of such review.
- This request reflects an approximately 30% increase in the estimated number of annual recurrent burden hours for each collection since OMB last authorized the information collections in 2023. The increases are not due to a programmatic change, but an increase in the number of consumer complaints that carriers reported receiving and processing since DOT's last request.

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 Air Carrier Access Act (ACAA, 49 U.S.C. § 41705) prohibits discriminatory treatment of persons with disabilities in air transportation. The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century; Pub. L. 106-181 (AIR 21), signed into law on April 5, 2000, requires, among other things, that the Secretary of Transportation “regularly review all complaints received by carriers alleging discrimination on the basis of disability and shall report annually to Congress on the results of such review.” See 49 U.S.C. § 41705(c)(3). For the Department to efficiently review all of the complaints received by carriers, it needs is to collect disability-related complaint data from carriers.

- 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.**

In order to implement the statutory requirements of AIR 21 codified in 49 U.S.C. § 41705(c)(3), the Department issued a regulation, 14 CFR 382.157, that requires U.S. and foreign carriers conducting passenger air service to, from, or within the U.S. and that have at least one aircraft with a designed seating capacity of more than 60 seats to record complaints that they receive alleging discrimination on the basis of disability. The carriers must also categorize these complaints according to the type of disability and nature of the complaint, prepare a summary report annually of the complaints received during the preceding calendar year, submit the report to the Department’s Office of Aviation Consumer Protection (OACP), and retain copies of correspondence and records of action taken on the reported complaints for three years. The rule requires carriers to submit their annual report to the Department each year by the last Monday in January for the prior calendar year.

The Department has submitted reports to Congress that contained both a summary and a detailed breakdown of the disability-related complaints that were reported to the Department by the carriers covered by this rule. The reports have also been placed on OACP’s website (<http://www.dot.gov/airconsumer>) so that both consumers and air travel companies can compare the overall disability-related complaint records of individual airlines, including the number of disability complaints filed against particular carriers for specific service problems (e.g. refusal to board without an attendant). The information reported by airlines also may serve as a basis for rulemaking, legislation, and research. Further, OACP uses the information to track trends or spot areas of concern which it may find warrant further action.

- 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 burden.**

In general, carriers submit their data to the Department electronically using DOT's modernized Aviation Complaint, Enforcement, and Reporting System (ACERS). Under limited circumstances, a carrier can be permitted to submit a copy by another means approved by the Department, such as via email, if the carrier can demonstrate hardship.

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.

There is no similar information accumulated that could be used or modified for the purpose described in the answer for question 2 detailed above.

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

The Department's rule does not impact a substantial number of small businesses or other small entities. A direct or foreign carrier is a small business if it provides air transportation only with small aircraft, *i.e.* aircraft designed to have a maximum capacity of not more than 60 seats or a maximum payload capacity of 18,000 pounds. The rule is applicable to foreign and domestic carriers that utilize aircraft that have a design capacity of more than 60 passengers.

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.

If the collection is not completed, the Department will be unable to comply with the statutory requirements of 49 U.S.C. § 41705(c)(3) to review all complaints received by carriers and report annually to Congress.

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 requiring information to be collected in any of the scenarios stated above.

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 in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe 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. Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years - even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

Each year, OACP sends an email to airlines that are registered as reporting carriers to remind the airlines of their recordkeeping and reporting requirements. The email provides specific OACP contacts for airlines to use to ask questions and seek assistance regarding the requirements.

On November 28, 2025, DOT published a notice in the Federal Register that announced its intent to seek OMB approval for the information collections and solicited public comment for a period of 60 days. See 90 FR 54,880. The Department received four comments in response to the notice. The commenters include the Muscular Dystrophy Association (MDA), Paralyzed Veterans of America (PVA)—writing on behalf of 23 disability rights organizations or chapters—a representative of North Central Independent Living Services, and an anonymous member of the public. The Department did not receive any comments in response to the 60-day notice from airline respondents or their representatives. After reviewing and considering all of the comments, the Department determined that no changes are necessary to the information collection request prior to submission to OMB for review.

In their comments, PVA and MDA addressed the Department's hourly burden estimates for respondents to prepare their report (.5 hours per respondent). The commenters believed that the Department may have overestimated the time required for respondents to submit their reports to the Department because of the increased efficiencies and capabilities of the Department's Aviation Complaint, Enforcement, and Reporting System (ACERS), which the Department recently rolled out for air carriers to use to submit their reports. PVA's comment specifically noted that ACERS enables carriers to save reports in progress and allows respondents with no complaints to autofill the report with all zeros, which were not functions available before ACERS.

After considering these comments, the Department decided to retain the estimate of .5 hours in its submission to OMB, as the required report entails accurately transferring 169 complaint data

elements from airline systems. Carriers must also enter contact information, read the certification statement, and certify the report as true and correct prior to submitting the report. The Department's estimate accounts for the varying complaint volumes and data systems infrastructure across all reporting carriers and includes a reasonable estimate of time the carriers will need to conduct the due diligence required to prepare and submit a report.

All commenters supported the collection of information as necessary. However, they urged the Department to enhance the information collection so that it is more useful to individuals with disabilities and better reflects what may be violations of the Air Carrier Access Act. PVA recommend specific ways airlines can take action to reduce reporting burden, such as suggesting that carriers utilize check boxes for established complaint categories on their complaint forms and make complaint forms easier to find on the carriers' websites, so passengers do not have to call the carrier about their complaint, which could increase the burden. The anonymous commenter encouraged the Air Carrier Access Act Advisory Committee to be involved in making recommendations for improvement of the reporting requirements and indicated that the Department's report and webpage needs to be compliant with accessibility standards.

In consideration of these comments, DOT determined that no changes are necessary to the information collection request. The annual reports are comprised of data that airlines are currently required to report under 14 CFR Part 382. As such, any enhancements to these reporting requirements, including those suggested by the commenters, would be more appropriately addressed through rulemaking. With respect to publishing accessible content on its webpages, DOT remains committed to ensuring that content posted on its website, including reports, is accessible to individuals with disabilities to federal accessibility standards.

On January 30, 2026, DOT published a notice in the Federal Register that, among other things, included the Department's responses to the comments received and provided an additional comment period of 30 days. *See 91 FR 4178.*

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

No payment or gift of any kind has been or will be provided to any respondents in the public sector or to carriers that must file reports pursuant to this rule.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

Airlines must submit complaint data to the Department online using the Aviation Complaint, Enforcement, and Reporting System (ACERS) unless it receives permission from the Department to submit the data in an alternative manner. A PIA was conducted for ACERS in 2023. *See [Link to DOT webpage with Privacy Impact Assessment](#).*

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, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The sensitive information being collected is about a passenger's disability. A passenger's disability is often disclosed in the written complaints sent by the passenger to the airline. If the passenger's disability is disclosed, then the airline is required to report the type of disability to the Department. If the passenger does not self-disclose his/her disability, then the carrier would simply classify the disability as "other disability." The Department uses the data gathered to identify potential areas of concern and to meet the requirements of 49 U.S.C. 41705(c)(3).

12. Provide estimates of the hour burden of the collection of information. The statement should: Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 12 of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included under 'Annual Cost to Federal Government'.

Respondents: U.S. carriers and foreign carriers operating to and from the United States that conduct passenger air service with at least one large aircraft.

Requirements	Number of Respondents ¹	Frequency	Estimated Burden	Estimated Total Annual Burden

¹ The total number of respondents that reported to DOT for Calendar Year (CY) 2023. This is the most recent data available to the Department as of the date the Department developed this portion of the analysis.

Record and Categorize Complaints Received	170	49,082 Complaints per year (0 – 9,717 complaints per carrier)²	.25 hours per complaint (per respondent)	12,270.5 hours (.25 hours multiplied by 49,082 complaints per year)³
Prepare and Submit Annual Report	170	1 report to DOT/year (per respondent)	.5 hours per year (per respondent)	85 hours .5 hours multiplied by 170 respondents.
Retain Correspondences and Record of Action Taken	170	49,082 Complaints per year (0 – 9,717 complaints per carrier)⁴	0.08⁵ hours per complaint (per respondent)	4,090.17 hours (.08 ⁵ hours multiplied by 49,082 complaints per year.) ⁵

AGGREGATE HOURLY BURDEN = 16,445.67 hours (12,270.5+85+4,090.17)

ESTIMATED ANNUALIZED COST TO RESPONDENTS

The total annual hourly burden to respondents for the three requirements combined is estimated to be 16,445.67 (12,270.5+85+4,090.17). Thus, the requirements and associated hourly burdens may be absorbed by existing airline resources without imposing a cost in addition to that of its normal operations. Though, to the extent airlines do incur annualized costs:

For the requirement to record and categorize complaints received, we estimate the total annual cost to respondents to be \$617,328.86. This estimate was calculated by multiplying the total number of total burden hours estimated (12,270.5) by the hourly wage in the 90th percentile for bookkeeping, accounting, and auditing clerks (Standard Occupational Classification code 43-3031), as of May 2024, marked up to account for benefits (\$50.31).⁶

For the requirement to prepare and submit the annual report, we estimate the total annual cost for industry to be \$4,276.35. This estimate was calculated by multiplying the total number of burden hours estimated for carriers to report the information for the flights they operate and, if applicable,

2 The range of the lowest number of complaints received by any respondent (0) and the highest number of complaints received by any respondent during CY 2023 (9,717).

3 The estimated annual burden per respondent is between 0 and 2429.25 hours (9,717 * .25).

4 The range of the lowest number of complaints received by any respondent (0) and the highest number of complaints received by any respondent during CY 2023 (9,717).

5 The estimated annual burden per respondent is between 0 and 809.75 hours (9,717 * .08333333).

6 The hourly wage data is from the Bureau of Labor and Statistics (BLS) website, available here: <https://www.bls.gov/oes/current/oes433031.htm>. We used the wage amount in the upper (90%) percentile, that is \$34.94, instead of the median wage amount because we assume supervisory review time is involved. We marked up the wage amount by 1.44 X to account for benefits. We calculated the markup for benefits by calculating the ratio of total compensation (34.09) to wages (23.61) for office and administrative support occupations on table 4 of the BLS Employer Costs for Employee News Release, March 2025, available here: <https://www.bls.gov/news.release/pdf/ecec.pdf>

their branded codeshare flights (85) by the hourly wage in the 90th percentile for bookkeeping, accounting, and auditing clerks (Standard Occupational Classification code 43-3031), as of May 2024, marked up to account for benefits (\$50.31), as calculated above.

For the requirement to retain correspondence and record of action taken, we estimate the total annual cost for industry to be \$205,776.45. This estimate was calculated by multiplying the total number of burden hours estimated for carriers to report the information for the flights they operate and, if applicable, their branded codeshare flights (4,090.17) by the hourly wage in the 90th percentile for bookkeeping, accounting, and auditing clerks (Standard Occupational Classification code 43-3031), as of May 2024, marked up to account for benefits (\$50.31), as calculated above.

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet). The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities. If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collections services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate. Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

Yearly costs to respondents for maintenance of the database and data input are estimated to be \$0, as these tasks are generally completed by carrier personnel. Carriers can use the complaint information databases for reasons other than to provide information to the government, including to identify ways to improve service.

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. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

DOT estimates the annual costs to the Federal Government to be less than \$13,000 based on the average of the actual and estimated database operations and maintenance costs for Fiscal Years 2025-2027 and the estimated proportion of these services needed to support the disability-related complaint data processing and display. The management of airline reporting is one of many priorities of DOT's Office of Aviation Consumer Protection staff whose salaries would have been incurred regardless of this office function.

15. Explain the reasons for any program changes or adjustments reported on the burden worksheet.

The estimate for annual reporting and recordkeeping burden hours has increased from 12,649 (approved by OMB on 1/3/2023) to 16,446 hours because the number of complaints received by airlines used in the DOT's estimates has increased since DOT's last request. Furthermore, the estimated cost to the Federal government in question 14 has decreased because the cost of operating and maintaining the reporting database are, on average, less than in prior years.

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 Department submits an annual report containing a summary and a detailed breakdown of the data to Congress. The Department also publishes this report on OACP's website (<https://www.transportation.gov/airconsumer>).

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.

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

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

We have not asserted any exceptions to the certification statement.