

SUPPORTING STATEMENT FOR SAFER SKIES STATE, LOCAL, TRIBAL, AND TERRITORIAL COUNTER-UAS INFORMATION COLLECTION

A. 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.

New collection. Emergency processing requested under 5 CFR 1320.13.

This collection implements the information requirements of the interim final rule issued jointly by the Department of Justice and the Department of Homeland Security to carry out 6 U.S.C. § 124n(a)(2), as added by the SAFER SKIES Act, Title LXXXVI of the National Defense Authorization Act for Fiscal Year 2026. Section 124n(a)(2) extends counter-UAS authority to state, local, tribal, and territorial (SLTT) law enforcement and correctional agencies, alongside the existing federal authority in § 124n(a)(1). The rule, codified at new part 124 of titles 6 and 28 of the Code of Federal Regulations, conditions the exercise of that authority on a set of coordination, authorization, reporting, and recordkeeping submissions. This collection covers those submissions.

The statutory bases for the underlying duties include § 124n(d)(2)(C) (notification within 48 hours of a mitigation action), § 124n(d)(2)(D) (information supporting the report to Congress), § 124n(d)(3) (coordination with the Department of Transportation and the Federal Aviation Administration), and § 124n(e) (privacy and data-handling requirements). The collection consists of fourteen standardized instruments submitted through the portal: the C-UAS Policy Attestation (Form C-UAS-ATT, § 124.6); the C-UAS Operations Plan (Form C-UAS-OPLAN, § 124.8); the C-UAS Advance Notification (Form C-UAS-AN, § 124.9); the C-UAS Mutual Aid and Regional Support Arrangement (Form C-UAS-MAA, § 124.4(c)); the C-UAS Notice of Intent (Form C-UAS-NOI, § 124.10(a)); the C-UAS Lead-Agency Designation and Joint Deconfliction Agreement (Form C-UAS-LAD, § 124.10(e)); the C-UAS Operational Action Notification (Form C-UAS-OAN, §§ 124.11, 124.9(g), 124.13(e)); the C-UAS Post-Operation Report (Form C-UAS-POR, § 124.13); the C-UAS Extended Retention Notification (Form C-UAS-ERN, § 124.14(d)(3)); the C-UAS Semiannual Operational Summary (Form C-UAS-SUM, § 124.13(h)); the C-UAS Voluntary Self-Report and Deficiency Disclosure (Form C-UAS-VSR, § 124.16(b)); the C-UAS ASL Nomination and Feedback (Form C-UAS-ASLN, § 124.7(f)); the C-UAS Administrative Review and Reinstatement Request (Form C-UAS-ARR, § 124.5(k), (m)); and the C-UAS Testing, Training, and Exercise Activities Plan (Form C-UAS-TTE, § 124.18). The recordkeeping, retention determination, and audit trail requirements of § 124.14 are also part of this collection. A separate operator training and certification instrument (Form C-UAS-OTC) is treated as a severable instrument within this collection and is addressed in items

10 and 12. The text of 6 U.S.C. § 124n and the relevant portions of the interim final rule are 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 respondents are SLTT law enforcement and correctional agencies that elect to exercise authority under § 124n(a)(2). The submissions serve three purposes. First, they allow the federal government to deconflict planned SLTT counter-UAS operations with federal counter-UAS, law enforcement, and national security operations, and to coordinate airspace use with the Federal Aviation Administration and spectrum use with the Federal Communications Commission. Second, they document that each mitigation operation is authorized, that operators are trained and certified, and that the operation has been reviewed for legal sufficiency and for compliance with privacy and civil liberties requirements. Third, they provide the post-operation and periodic reporting the Attorney General and the Secretary of Homeland Security need to oversee the program and to compile the report to Congress required by § 124n(d)(2)(D).

The information is used by the Department of Justice and the Department of Homeland Security, and relevant elements are routed to the Federal Aviation Administration and the Federal Communications Commission, through a single submission to a designated federal counter-UAS coordination portal operated by the Federal Bureau of Investigation. This is a new collection, so there is no prior use to describe.

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.

The collection is designed to be electronic. In the interim period before the portal is fully established, agencies submit standardized electronic forms through a designated electronic channel. The end state is a single online portal that accepts each submission once and routes the relevant data elements to the Federal Bureau of Investigation, the Department of Homeland Security, the Federal Aviation Administration, and the Federal Communications Commission. The single-submission design is the central burden-reduction choice. It avoids separate filings with each federal recipient, which would multiply respondent burden, produce inconsistent records, and recreate the sequential processing delays the federal programs experienced before consolidated coordination mechanisms were adopted. Standardized data elements also permit automated routing and consistent review.

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 A.2 above.

The information is specific to each planned or completed SLTT counter-UAS operation and is not available from any other source. The single-portal design exists specifically to prevent duplicative filing across federal recipients. Where a system has completed system-level spectrum evaluation, the advance notification relies on that evaluation rather than requiring the agency to resupply the underlying data.

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

Many respondents are small governmental jurisdictions. Burden is minimized for them by online delivery of training at no tuition cost; by self-certification through portal attestation without pre-approval; by standardized forms that may incorporate prior submissions by reference; by consolidated, recurring-venue, and standing-window reporting formats for repeated and fixed-site operations; and by the absence of per-operation coordination for passive non-emitting detection systems.

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.

Without these submissions the federal government cannot deconflict SLTT operations with federal operations, cannot coordinate airspace and spectrum use, and cannot verify that mitigation operations are authorized and conducted by trained operators. The result would be a material risk to aviation safety, to spectrum-dependent services, and to ongoing federal operations, and the Attorney General could not compile the report to Congress that § 124n(d)(2)(D) requires. The reporting frequencies are set at the minimum the statute and safe operations require. The 48-hour mitigation report is fixed by § 124n(d)(2)(C). Less frequent reporting would not satisfy the statute and would degrade oversight.

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 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 secret, 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.**

This collection requires respondents to submit a post-operation report within 48 hours of a mitigation action, which is fewer than 30 days after the triggering event. That requirement is imposed by statute, 6 U.S.C. § 124n(d)(2)(C), and is necessary because the report supports immediate deconfliction and aviation-safety functions. No other special circumstances listed in 5 CFR 1320.5(d)(2) apply.

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.

This collection is submitted together with an interim final rule and on an emergency basis under 5 CFR 1320.13, so the 60-day notice has not preceded submission. The Departments will publish the notice required by 5 CFR 1320.8(d) and will seek regular clearance, addressing any

comments received, during the emergency approval period. The Departments developed the collection in coordination with the Department of Homeland Security, the Department of Transportation and the Federal Aviation Administration, and the Federal Communications Commission, and drew on the experience of the federal counter-UAS programs since 2018.

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

No government funds will be used as payment or for gifts to respondents.

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

No pledge of confidentiality is made to respondents, which are governmental agencies. Operational information in the submissions is protected as sensitive law enforcement and homeland security information and is handled under § 124.15 of the rule and applicable federal protections. The fourteen portal instruments collect limited individual information, such as points of contact, certifying officials, counsel, and, on the Operations Plan, a roster of certified operators. Those records are retrieved by operation, agency, or control number rather than by personal identifier, so the operational instruments are not maintained in a Privacy Act system of records and do not carry a Privacy Act Statement. This position is being confirmed with the Senior Component Official for Privacy and the Office of Privacy and Civil Liberties. The separate operator training and certification instrument is retrieved by individual name; it is treated as a severable instrument within this collection and is covered by a system of records notice. See the corresponding ICR-PA documents.

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 collection does not request information of a sensitive nature within the meaning of 5 CFR 1320. Operator names and certification status are collected only for officials acting in their official capacity.

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 10) 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. General, 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.**
- **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 in Item 14.**

The estimates below use the per-unit hour figures stated in the interim final rule and a respondent universe of approximately 1,500 detection-tier agencies and 150 mitigation-tier agencies within the first two years (1,650 unduplicated agencies). Recurring per-operation activities assume an operational tempo of approximately 15 mitigation operations per mitigation-tier agency per year (2,250 mitigation operations per year). One-time policy adoption and attestation activities are annualized over the three-year clearance period. The burden is stated separately by instrument. The C-UAS Operations Plan is shown in three lines because the per-plan time differs by operation type: approximately 3 hours for an initial mitigation plan, approximately 1 hour for a mitigation renewal that incorporates a prior plan by reference, and approximately 30 minutes for a detection and warning plan. Detection and warning plans are the largest single driver of responses; the estimate assumes that each of the approximately 1,500 detection-tier agencies submits an average of 6 detection plans per year (approximately 9,000 plans). Each remaining form uses the per-response time estimated for that form; most of the notification and registration forms take only a few minutes to complete. The severable operator training and certification instrument (Form C-UAS-OTC) is not built out yet and is not included in the totals below; it will be added when developed, with a provisional estimate of about 30 minutes per response. These response counts are program estimates derived for this submission; they have not yet been validated against an independent worksheet and should be confirmed by the component PRA Coordinator before finalization.

Estimated Annualized Respondent Hour and Cost Burden

Activity	Number of Respondents	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)	Monetized Value of Respondent Time
C-UAS-ATT – initial (policy)	1,650	550	5 hrs	2,750	\$206,250

+ attestation)					
C-UAS-ATT – annual renewal	1,650	1,650	1.5 hrs	2,475	\$185,625
C-UAS-OPLAN – mitigation, initial	150	1,080	3 hrs	3,240	\$243,000
C-UAS-OPLAN – mitigation, renewal	150	270	1 hr	270	\$20,250
C-UAS-OPLAN – detection and warning	1,500	9,000	0.5 hrs	4,500	\$337,500
C-UAS-AN	150	2,250	2 hrs	4,500	\$337,500
C-UAS-MAA	150	150	1.5 hrs	225	\$16,875
C-UAS-NOI	200	200	0.5 hrs	100	\$7,500
C-UAS-LAD	100	50	1 hr	50	\$3,750
C-UAS-OAN	150	750	10 min	125	\$9,375
C-UAS-POR	150	2,250	1 hr	2,250	\$168,750
C-UAS-ERN	100	150	0.5 hrs	75	\$5,625
C-UAS-SUM	1,650	3,300	1.5 hrs	4,950	\$371,250
C-UAS-VSR	100	100	0.75 hrs	75	\$5,625
C-UAS-ASLN	150	150	5 min	12	\$900
C-UAS-ARR	50	50	2 hrs	100	\$7,500
C-UAS-TTE	150	300	3 hrs	900	\$67,500
Recordkeeping / retention / audit (§ 124.14)	1,650	1,650	varies	5,550	\$416,250

<i>Unduplicated Totals</i>	<i>1,650</i>	<i>23,900</i>	<i>—</i>	<i>32,147</i>	<i>\$2,411,025</i>
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Hourly rate: a blended loaded rate of \$75.00 per hour is used as a placeholder for SLTT law enforcement and supervisory personnel and counsel. The component PRA Coordinator should replace this with a cited Bureau of Labor Statistics wage source before submission.

Total estimated annual respondent burden is approximately 32,147 hours across approximately 23,900 responses from approximately 1,650 respondents, with a monetized value of approximately \$2,411,025 at the placeholder rate.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- 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 service 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 collection 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.

There are no capital or start-up costs and no operation or maintenance costs imposed on respondents by this collection. Respondents use existing personnel and equipment to prepare and submit the required information. The annual cost burden to respondents under Item 13 is \$0.

14. Provide estimates of the 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 (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.

The federal cost consists of (a) development and operation and maintenance of the coordination portal, (b) federal labor to review and route submissions and to compile oversight and congressional reporting, and (c) National Counter-UAS Training Center support associated with the certification records. Federal review labor is estimated at approximately 23,900 responses times approximately 0.25 hour per response at a loaded federal rate of approximately \$72.00 per hour, or approximately \$430,200 per year. Portal development and annualized operation and maintenance are estimated at \$750,000, and training-center support at \$250,000. The estimated annualized cost to the federal government is approximately \$1,430,200.

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

This is a new collection. The entire burden is a program change resulting from the interim final rule implementing 6 U.S.C. § 124n(a)(2). There are no adjustments.

16. For collections of information whose results will be published, outline plans for tabulations, 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 results of this collection are not published as such. Aggregate elements drawn from post-operation reports and semiannual summaries support the report the Attorney General submits to Congress under § 124n(d)(2)(D). The collection begins on the effective date of the interim final rule and continues for the life of the program. Emergency approval is requested for six months, with regular three-year clearance to follow.

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. Each instrument will display a valid OMB control number and expiration date.

18. Explain each exception to the certification statement.

This collection takes no exception to the certification statement in Item 19 of OMB Form 83-I.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS.

This collection does/does not contain statistical data.