

SUPPORTING STATEMENT

March 24, 2025

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.**

Under 14 CFR Part 234, U.S. airlines accounting for at least half of one percent of domestic schedule passenger revenue must report monthly flight performance data (section 234.4 “Reporting of on-time performance.”) and monthly information on mishandled baggage and wheelchairs and scooters (section 234.6 “Baggage-handlings statistics.”) to the Department of Transportation (DOT or Department) for the flights they operate and for flights operated by their branded codeshare partners, if any. As described in more detail below, the DOT’s Bureau of Transportation Statistics (BTS) processes and publishes the information it collects for the benefit of air transportation consumers, airlines, federal entities, and others.

The statutory authorities for 14 CFR Part 234 are 49 U.S.C. §§329; 41708; and 41709.

- 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.**

Consumers, industry stakeholders, media, and academics use the information DOT collects and publishes under 14 CFR Part 234 to understand and compare airlines’ service quality performance, including airlines’ rates of flight on-time performance and cancellation and rates of baggage and wheelchair and scooter mishandling.

DOT uses the data reported by the airlines to publish on-time performance, mishandled baggage, and mishandled wheelchairs and scooters statistics and rankings in the Department’s monthly [Air Travel Consumer Report](#) (ATCR). The information and airline rankings enable the public to better evaluate transportation options. In addition, news reports, industry analyses, academic studies, and consumer commentaries frequently refer to the rankings. The information and rankings can have a significant impact on an airline’s image and brand identity and serve as an incentive to airlines to improve performance and customer service.

In addition, the Department's Office of Aviation Consumer Protection (OACP) uses the data to monitor flight delays and cancellations and baggage mishandling. OACP can take actions to enforce aviation consumer protection laws and regulations when warranted.

The Department's Federal Aviation Administration (FAA) uses data reported by airlines in Part 234 on-time performance reports to analyze air traffic delays. Wheels-up and wheels-down times are used by the FAA in conjunction with departure and arrival times to show the extent of ground delays. Actual elapsed flight time (wheels-down minus wheels-up time) is compared by the FAA to scheduled elapsed flight time to identify airborne delays. The data can be analyzed by the FAA for airport design changes, capital investments, and the planning of new runways or airports based on current and projected airport delays and traffic levels.

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.

Airlines must report the information electronically to the Department via the internet. In 2010, the Department issued a final rule that requires reporting carriers to submit their recurrent reports to the Department electronically using a comma separated values (.CSV) format or, where applicable, a portable document format (.PDF). All reporting carriers are required to upload the reports into the system via Web browsers and have the capability to do so.

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.

The FAA's Operational Network (OPSNET) data was evaluated as a substitute data source for on-time performance. OPSNET data are collected by air traffic controllers to track air traffic control delays of 15 minutes or more. The Department determined the OPSNET cannot be used to serve the purpose of collecting on-time performance data because it captures only a portion of delays.

In addition, airlines are required to certify that the flight performance information for their operations generated from their systems are true and correct when reporting to the Department, which enables the Department to attribute the data to carriers, including in airline rankings. Flight data from commercial sources would not include such certification.

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

The carriers that are required to submit flight performance and mishandled baggage data are all large air carriers with at least half of one percent in annual scheduled domestic passenger revenues. Small entities do not submit Part 234 on-time performance or mishandled baggage data.

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 collecting the data, DOT would not be able to continue providing useful and relevant information on airline flight performance and baggage handling to the public and Federal entities. The data should be collected and published frequently because the data can become stale over time and lose their usefulness.

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.

Because of the time-sensitive nature of the flight performance and mishandled baggage and wheelchair and scooters data, carriers submit monthly reports within 15 days after the end of the applicable month. Most of the air carriers use a computer system called the ACARS system that amasses the data for on-time reporting. ACARS allows for almost real-time data submission.

The Department requires that the on-time performance and mishandled baggage and wheelchair and scooter data be submitted monthly because the information is included in the Department's monthly Air Travel Consumer Report, along with monthly consumer complaint statistics. The information enables the public to compare airlines based on current available information.

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.

The Department has published Paperwork Reduction Act Burden Statements regarding OMB Control Number 2138-0041 with an agency contact for the public to send comments on any aspect of the collections of information. In addition, DOT staff communicates with representatives of the reporting carriers in the normal course of business and has developed an understanding of the processes and systems airlines use to report flight performance and mishandled baggage data.

On November 8, 2024, the Department published a notice in the Federal Register seeking renewal of the authorization of the information collection and soliciting public comment regarding the collections (89 FR 88861 - 88863). The comment period closed on January

7, 2025, and three comments were received. The comments were from Airlines for America (A4A), Paralyzed Veterans of America (PVA), and an individual. The comments are available in Docket DOT-OST-2014-0031.

A4A, which is an industry group representing several respondent airlines, commented that the Department should not seek renewal of the information collection until it makes updates to the collection of flight performance information, including by conducting a rulemaking to update the reporting requirements to be consistent with Section 511 of the FAA Reauthorization Act of 2024 and as A4A requested in its petition for rulemaking to the Department. A4A further commented that the Department's burden estimates in the November 8, 2024, notice for reporting on-time performance and mishandled baggage and wheelchairs and scooters were low.

PVA's comments, which address the collection of data on mishandled baggage and wheelchair and scooters by the Department, state that the Department must update relevant guidance to ensure all reporting requirements for mishandled wheelchairs and scooters are consistent with 14 CFR 382.130, which concerns requirements on airlines' handling of wheelchairs, scooters, and other assistive devices.

The individual comment supports the Department's collection of mishandled wheelchairs and scooters information, stating that this information allows the Department to hold airlines accountable for mishandling wheelchairs and other assistive devices. The individual adds that this accountability would ideally encourage airlines to improve their practice and handling of wheelchairs and other devices.

On January 28, 2025, the Department published a second notice seeking comment on the information collections, which did not include the Department's responses to the public comments it received in response to the November 8, 2024, notice. See 90 FR 8318. On X, DOT published another notice which responded to the comments it received on the November 8, 2024, notice, and announced a 30-day period for public comment. See X FR XXX. That notice announced DOT's intention to seek renewal of OMB Control Number 2138-0041 and that the Department is transmitting an approval package to OMB to do so.

In response to A4A's comment, the Department stated that it intends to examine and address issues regarding airline reporting of flight performance data to DOT as it works through the process of responding to that petition. As directed in Section 511 of the FAA Reauthorization Act of 2024, BTS has already initiated a rulemaking titled Revisions to Cause of Delay Categories (RIN 2105-AF29) to address the categories of the causes of delay and cancellation the largest U.S. airlines report to DOT. In addition, BTS has agreed to implement each of the OIG's recommended actions regarding flight performance data. These processes will take time to constructively complete and the Department finds great benefit in continuing to collect on-time performance reports while the issues are evaluated.

In response to the PVA comment, the Department stated that it does not believe changes to the reporting instructions are necessary.

As further described in the notice, the Department adopted A4A's burden estimates for airline reporting on-time and mishandled baggage and wheelchair and scooter reports. The information provided by A4A is incorporated in this justification for renewal.

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

There are no payments or gifts to respondents.

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.

There are no assurances of confidentiality.

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.

There are no questions of a sensitive nature.

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: Certificated U.S. air carriers that account for at least half of one percent of the domestic scheduled-service passenger revenue are required to report flight performance data (referred to as on-time performance data) to DOT and to report information on mishandled baggage, and separate information on mishandled wheelchairs and scooters to DOT, for the covered flights that they operate as described in 14 CFR 234.4 and 234.6; Certificated U.S. air carriers that account for at least half of one percent of domestic scheduled-service passenger revenues and that market flights that carry the carrier’s code as the only U.S. carrier code that are operated by another U.S. carrier are required to report the data to DOT for the these branded code-share flights as described in 14 CFR 234.4 and 234.6.

Requirements	Number of Respondents	Frequency (per year)	Burden Per Respondent	Estimated Total Annual Burden (all respondents)	Estimated Total Annual Burden Cost (all respondents)
<i>On-time Data (reported as described in 14 CFR 234.4)</i>	<i>14 carriers reporting for the flights they operate</i>	<i>Monthly</i>	<i>· Up to 42 hours for each respondent to report for the flights operated by the respondent.</i>	<i>(14 * 42 * 12) = 7,056 hours</i>	<i>[7,056 hours * \$47.43¹ = \$334,666.08] + [2,016 hours (codeshare) * \$47.43 = \$95,618.88] = \$434,284.96</i>
<i>On-time Data (reported as described in 14 CFR 234.4)</i>	<i>4 market branded code-share flights</i>	<i>Monthly</i>	<i>· Up to 42 hours for each respondent that reports on-time</i>	<i>(4 * 42 * 12) = 2,016 hours</i>	

1 The hourly wage data is from the Bureau of Labor and Statistics (BLS) website providing May 2023 Occupational and Employment and Wage data, available here: <https://www.bls.gov/oes/current/oes433031.htm>. We used the wage amount in the upper (90%) percentile, that is \$33.11, instead of the median wage amount because we assume supervisory review time is involved. We marked up the wage amount by 1.44 to account for benefits. We calculated the markup for benefits by calculating the ratio of total compensation (33.87) to wages (23.64) for office and administrative support occupations on table 4 of the BLS Employer Costs for Employee News Release, September 2024, available here: https://www.bls.gov/news.release/archives/ecec_12172024.htm.

			<i>data for the flights operated by branded code-share partners to report for those flights.</i>		
<i>Mishandled Baggage (reported as described in 14 CFR 234.6)</i>	<i>14 carriers reporting for the flights they operate</i>	<i>Monthly</i>	- Up to 14 hours for each respondent to report mishandled baggage data for the flights operated by the respondent. - Up to 72 hours for each respondent to report wheelchair s and scooters data.	$[14 * 14 * 12 = 2,352 \text{ hours}] + [14 * 72 * 12 = 12,096 \text{ hours}] = 14,448 \text{ hours}$	$[14,448 \text{ hours} * \$47.43 = \$685,268.64] + [4,224 \text{ hours (codeshare)} * \$47.43 = \$200,344.32] = \$885,612.96$
<i>Mishandled Baggage (reported as described in 14 CFR 234.6)</i>	<i>4 of which market branded code-share flights</i>	<i>Monthly</i>	Up to 16 hours for each covered carrier that reports mishandled baggage data for covered flights operated by branded code-share partners to report for	$[4 * 16 * 12] = 768 \text{ hours} + [4 * 72 * 12 = 3,456 \text{ hours}] = 4,224 \text{ hours}$	

			those flights. · Up to 72 hours for each covered carrier that reports wheelchair and scooter data for covered flights operated by branded code-share partners to report for those flights.		
			Total Estimated Annual Burden for Information Collections Under OMB Control Number 2138-0041	7,056 + 2,016 + 14,448 + 4,224 = 27,744	\$1,315,897.92

Estimated Number of Respondents: 14 air carriers account for at least half of one percent of the domestic scheduled-service passenger revenue. 4 of these air carriers market flights carrying the carrier's code as the only U.S. carrier code that are operated by branded codeshare partners.

Frequency: The carriers submit on-time performance and mishandled baggage and wheelchairs and scooters reports monthly. Airlines generally upload and submit the required on-time flight performance information and mishandled baggage and wheelchairs and scooters information through the secured Web portal <https://esubmit.rita.dot.gov> at the same time.

Burden Per Respondent:

- For the requirement to report information on flight performance (on-time performance), the estimated burden per respondent is:
 - o up to 42 hours each month for each of the 14 reporting carriers.²
 - o up to 42 hours each month for each of the 4 reporting carriers that report for branded code-share flights.
 - * This includes staff time to manage and process the data and submit it to DOT.

For instructions on reporting on-time performance to the Department see [BTS Technical Directive #27, effective January 1, 2018](#).

- For the requirement to report information on mishandled baggage and wheelchairs and scooters, the estimated burden per respondent is:
 - o up to 86 hours each month for each of the 14 reporting carriers to report for mishandled baggage.
 - 14 hours to report mishandled baggage data.
 - 72 hours to report mishandled wheelchairs and scooters data.
 - o up to 88 hours each month for each of the 4 reporting carriers that report for branded code-share flights.
 - 16 hours to report mishandled baggage data.
 - 72 hours to report mishandled wheelchairs and scooters data.
 - * This includes staff time to manage and process the data and submit it to DOT.

For instructions on reporting Mishandled Baggage and Wheelchair and Scooter information see [Technical Reporting Directive #30A- Mishandled Baggage and Wheelchairs and Scooters \(Amended\)](#).

Estimated Total Annual Burden:

For the requirement to report flight performance data under 14 CFR 234.4, we estimate a total annual burden of 9,072 hours. The total was calculated as follows: 14 air carriers reporting the flight performance information for the flights they operate × 42 hours per response × 12 months = 7,056 hours) + (4 air carriers reporting the flight performance information for flights operated by their codeshare partners × 42 hours ours per response × 12 months = 2,016 hours).

For the requirement to report mishandled baggage and mishandled wheelchair and scooters information under 14 CFR 234.6, we estimate a total annual burden of 18,672 hours. The total

² The estimates for reporting on-time performance information here, and for reporting mishandled baggage and wheelchair data, below, are consistent with input from Reporting Carriers through the comment filed by Airlines for America (A4A) in response to the Department's November 8, 2024, notice.

was calculated as follows: 14 air carriers reporting the mishandled baggage and mishandled wheelchairs and scooters information for flights they operate × 86 hours (14 hours per response for reporting mishandled baggage data and 72 hours per response for reporting mishandled wheelchairs and scooters data) × 12 months = 14,448 hours) + (4 air carriers reporting the mishandled baggage and mishandled wheelchairs and scooters information for flights operated by their codeshare partners × 88 hours (16 hours per response for reporting mishandled baggage data and 72 hours for reporting mishandled wheelchairs and scooters data) × 12 months = 4,224 hours)

ESTIMATED ANNUALIZED COST TO RESPONDENTS

- For the requirement to report flight performance data under 14 CFR 234.4, we estimate the total annual cost to be \$430,284.96. This estimate was calculated by multiplying the total number of total burden hours estimated (9,072) by the hourly wage in the 90th percentile for bookkeeping, accounting, and auditing clerks (Standard Occupational Classification code 43-3031), as of May 2023, marked up to account for benefits (\$47.43).³
- For the requirement to report mishandled baggage and mishandled wheelchair and scooters information under 14 CFR 234.6, we estimate the total annual cost to be \$885,612.96. 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 (18,672) by the hourly wage in the 90th percentile for bookkeeping, accounting, and auditing clerks (Standard Occupational Classification code 43-3031), as of May 2023, marked up to account for benefits (\$47.43), 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**

³ See calculation supra note 1.

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.

We are not aware of any future capital costs that apply here. The automated systems that some airlines use to collect and record the data that gets reported to DOT are purchased for reasons other than reporting information to the Government such as for the airlines' own information, tracking, and improved performance. We consider the purchase of these equipment to be part of usual business practices.

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.

Federal Costs

Manpower	\$227,597.44
Loading data into database, validating data for accuracy, and contacting carrier for corrections.	
Information Technology	\$ 25,000
Server and Program costs	
Total Government Cost	\$252,597.44

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

There are no program changes involved. The increase in burden hours since the last OMB renewal is the result of DOT updating its previous burden estimates to account for information provided by respondents through their representative.

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.

DOT's Office of Aviation Consumer Protection, a unit with the Office of the General Counsel, publishes the monthly *Air Travel Consumer Report* (ATCR) with flight performance and mishandled baggage and wheelchair and scooter statistics. The ATCR has been published since 1971⁴ and its recent publications are available on DOT's aviation consumer protection webpage: <https://www.transportation.gov/individuals/aviation-consumer-protection/air-travel-consumer-reports> .

The Bureau of Transportation Statistics exhibits on-time data on its websites, including www.transtats.bts.gov . It also makes available flight performance data on a monthly flight-by-flight basis available for download by the public.

By regulation, airlines must report monthly flight performance and mishandled baggage and wheelchair and scooter data within 15 days of the end of the month for which the data pertains. DOT generally publishes the data approximately one month after it is reported to DOT by the airlines.

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 to not display the OMB expiration date on the data.

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

There are no exceptions.

⁴ See Air Travel Consumer Report, March 2021, page 3, available at: <https://www.transportation.gov/sites/dot.gov/files/2021-03/March%202021%20ATCR.pdf>.