

Supporting Statement

This collection is being submitted to revise an existing collection (FCC Forms FCC 479, 486 and 500).

A. Justification:

1. These forms, last renewed in 2003, are necessary for the fair and efficient functioning of the Universal Service Schools and Libraries Support Mechanism, and for the implementation of a congressional directive with respect to that program.

FCC Form 479 enables participants in the program to certify that they are compliant with the Children's Internet Protection Act (CIPA), 47 U.S.C. § 254 (h) and (l). With the exception of program participants who receive only telecommunications services, CIPA compliance is a necessary prerequisite to invoicing and payment. CIPA provides that schools and libraries that have computers with Internet access must certify that they have in place certain Internet safety policies and technology protection measures in order to be eligible to receive program services under section 254(h) of the Communications Act of 1934 (the Act), as amended. See 47 CFR § 54.520.

FCC Forms 486 and 500 ensure that services are actually being provided pursuant to the program, and that a billing relationship exists between the service provider and the applicant. Taken together, the two forms allow the Universal Service Administrative Company (USAC) to, subsequent to submission of the forms, receive invoices and make payments for services rendered pursuant to the program, and to update earlier filings about information necessary to this process.

Since the FCC Form 486 is a condition to payment for service under the program, it contains a new certification that certain steps have been taken prior to the commencement of service. This change was adopted in the *Fifth Report and Order* (CC Docket No. 02-6, FCC 04-190).

The dates on all three forms and their instructions have been updated. All three forms also contain updated notices for individuals as required by the Privacy Act and the Paperwork Reduction Act.

As noted in the OMB Form 83i, this information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

The statutory authority for this collection is contained in: Sections 1-4, [201-205](#), [218-220](#), [254](#), [303\(r\)](#), [403](#) and [405](#) of the Communications Act of 1934, as amended, [47 U.S.C. § 151-154](#), [201-205](#), [218-220](#), [254](#), [303\(r\)](#), [403](#) and [405](#).

2. The purpose of this information is to ensure that schools and libraries that are eligible to receive discounted Internet access and internal connections have in place certain Internet safety policies. Libraries receiving Internet access and internal connection services supported by the schools and libraries support mechanism must certify, by completing a FCC Form 486 (Receipt of Service Confirmation Form), the respondents are indicating they are enforcing a policy of Internet safety and enforcing the operation of a technology prevention measure. Respondents who received a Funding Commitment Decision Letter indicating services eligible for universal service discounts must file FCC Form 486 in order to start the payment process. In addition, all members of a consortium must submit signed certifications to the Billed Entity (using a FCC Form 479; Certification by Administrative Authority to Billed Entity of Compliance with Children's Internet Protection Act) of each consortium, in language consistent with that adopted on the FCC Form 486. FCC Form 500 is used in concert with FCC Form 486 to adjust funding commitments and/or modify the dates for receipt of service.

All of the requirements contained herein are necessary to implement the congressional mandate for universal service.

3. Copies of the forms will be available via the Administrator's web site or through a request to the Administrator's Client Service Bureau. In an effort to reduce any burden created by these information collection requirements, the Administrator permits electronic filing of FCC Form 486, and within thirty-six months will provide the same capability for FCC Form 500.

4. There will be no duplication of information. The information sought is unique to each respondent and similar information is not already available.

5. Entities directly subject to the requirements in the form are primarily schools and libraries. The forms have been designed to impose the least possible burden on the respondents.

6. Failing to collect the information, or collecting it less frequently, would prevent the Commission from implementing section 254 of the Act, and from ensuring that schools and libraries receiving discounted Internet access, Internet services, and internal connections have in place Internet safety policies.

7. Not applicable. The collections are not designed in any known manner to be inconsistent with OMB's guidelines.

8. A notice was published in the Federal Register pursuant to 5 C.F.R. § 1320.8 (d). See 71 FR 54072, dated September 13, 2006. (Copy attached). No comments were received. A copy of the 60 day notice is included in this submission to the OMB.

9. There will be no payments or gifts to respondents.

10. The Commission is not requesting that the respondents submit confidential information to the Commission. If the Commission requests applicants to submit information that the respondents believe is confidential, respondents may request confidential treatment of such information under section 0.459 of the Commission's rules.
11. There are no questions of a sensitive nature with respect to the information collected.
12. The following represents the hour burden on the collections of information:

FCC Form 479, Certification by Administrative Authority to Billed Entity of Compliance with Children's Internet Protection Act

Administrative Authorities for Billed Entities and their consortia generally must submit signed certifications on Form 479 to the Billed Entity, or to their consortium, certifying as to the state of the Billed Entity in its compliance with CIPA. The Billed Entity is required to retain copies of the signed and completed FCC Form 479.

- (1) Number of respondents: Approximately 10,000.
- (2) Frequency of response: Annual and third party disclosure. In most cases, each respondent must submit a signed Form 479 to its Billed Entities.
- (3) Annual burden per response: 1 hour. The total annual hour burden is: **10,000 hours**. (Previously estimated to OMB in the last submission at 15,000 hours.)
- (4) Total estimate of the annualized cost to respondents for the hour burdens for collection of information: \$400,000.
- (5) Explanation of calculation: We estimate that this obligation will take approximately 1.0 hours and will occur once a year for 10,000 respondents. $10,000$ (number of respondents) \times 1 (number of submissions required) \times 1.0 (hours to comply with requirements, to prepare form, including time for reading instructions) \times $\$40$ per hour (including administrative staff time and overhead) = $\$400,000$.

FCC Form 486, Receipt of Service Confirmation Form

Billed Entities must use the Form 486 to authorize the payment of invoices from service providers, indicate approval of technology plans, and indicate compliance with CIPA.

- (1) Number of respondents: Approximately 30,000. Respondents include: school, school boards, local education agency, or other authority with responsibility for administration of the school, library, library board, or other authority with responsibility for administration of the library.
- (2) Frequency of response: Annual and third party disclosure. In order to receive discounts for Internet access and internal connections services under the universal service support mechanism, school and library authorities must certify that they are enforcing a policy of Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions.

(3) Burden per response: 1.5 hours. The total annual hour burden is: **45,000 hours**. (No change in estimates from the previous submission to OMB.)

(4) Total estimate of the annualized cost to respondents for the hour burdens for collection of information: \$1,800,000.

(5) Explanation of calculation: We estimate that this obligation will take approximately 1.5 hours and will occur once a year for 30,000 schools and libraries. 30,000 (number of respondents) x 1 (number of submissions required) x 1.5 (hours to comply with requirements, to prepare form, including time for reading instructions) x \$40 per hour (including administrative staff time and overhead) = \$1,800,000.

FCC Form 500, Funding Commitment (FRN) Change Request Form

Billed Entities use the Form 500 to make adjustments to previously filed forms, such as changing the contract expiration date filed with the Form 471, or changing the funding year service start date filed with the Form 486. The Billed Entity will be required to retain copies of the signed and completed FCC Form 500.

(1) Number of respondents: Approximately 5,000.

(2) Frequency of response: On occasion and third party disclosure.

(3) Annual burden per response: 1.5 hours for certifying to the Billed Entity. The total annual hour burden is: **7,500 hours**. (Previously estimated to OMB in the last submission at 15,000 hours.)

(4) Total estimate of the annualized cost to respondents for the hour burdens for collection of information: \$300,000.

(5) Explanation of calculation: We estimate that this obligation will take approximately 1.5 hours and will occur once a year for 5,000 respondents. 5,000 (number of respondents) x 1 (number of submissions required) x 1.5 (hours to comply with requirements, to prepare form, including time for reading instructions) x \$40 per hour (including administrative staff time and overhead) = \$300,000.

Summary of Estimated Total Annual Burden Hours:

Total Number of Respondents = 10,000 + 30,000 + 5,000 = **45,000 Respondents**

Total Number of Responses = 10,000 + 30,000 + 5,000 = **45,000 Responses**

Total Annual Burden = 10,000 + 45,000 + 7,500 = **62,500 Hours**

13. (1) Total capital start-up costs component annualized over its expected useful life: \$0. The collections will not require the purchase of additional equipment.

(2) Total operation and maintenance and purchase of service component: \$0. The collections will not result in additional operation or maintenance expenses.

14. There will be few, if any costs to the Commission because notice and enforcement requirements are already part of Commission duties. Moreover, there will be minimal cost to the Federal government since an outside party will administer this program.

15. The change in the public burden for this collection from 75,000 to **62,500** burden hours resulted from a reduction in the estimated completion time for FCC form 479 from

1.5 hours to 1.0 hours. The change also represents a decrease in the number of respondents for the Form 500 from 10,000 to 5,000. These changes more accurately reflect the current information available for this collection.

16. The Commission will make the information required by 47 C.F.R. § 54.504 publicly available on the Internet. Other non-proprietary information will likely be made publicly available although the Commission does not have specific plans for doing so at this time.

17. The Commission seeks approval to not display the expiration date for OMB approval of the information collections. Display of the expiration date on the forms and instructions would not be in the public interest because, after the approval period, we would have to destroy all of the unused forms bearing the expiration date. This would constitute waste and would not be cost effective. The Commission will use an edition date in lieu of the OMB expiration date. Additionally, the Commission publishes the OMB control number, OMB expiration date, and title in 47 CFR 0.408.

18. Not applicable.

B. Collections of Information Employing Statistical Methods:

The Commission does not anticipate that the collection of information will employ statistical methods.