

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

OFFICE OF  
MANAGING DIRECTOR

August 31, 2007

Kevin F. Neyland  
Deputy Administrator  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
Washington, D. C. 20503

Dear Mr. Neyland:

The Federal Communications Commission requests clearance under the “emergency processing” provisions of 5 C.F.R. § 1320.13 for the information collection described in the attached documents. On August 22, 2007, OMB agreed via email message that the Commission may submit this emergency processing request. We request approval of this collection by September 19, 2007.

I am requesting emergency processing because, as described below, this collection of information is vital to compliance with a statutory mandate. This request for emergency processing is consistent with Section 1320.13(a)(2)(iii) of OMB regulations, which states that requests for emergency processing shall be accompanied by a written determination that the agency cannot reasonably comply with the normal clearance procedures because doing so “*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* (emphasis added).”

BACKGROUND:

On August 3, 2007, President George W. Bush signed into law the Implementing Recommendations of the 9/11 Commission Act of 2007 (Act), Public Law 110-53. The purpose of the Act is to “provide for the implementation of the recommendations of the National Commission on Terrorist Attacks Upon the United States.” Towards this end, the Act mandates that the Federal Communications Commission (Commission) “shall conduct a vulnerability assessment of the Nation’s critical communications and information systems infrastructure and shall evaluate the technical feasibility of creating a back-up emergency communications system that complements existing communications resources and takes into account next generation and advanced communications technologies.”

The Act mandates that the evaluation mentioned above include: (1) a survey of all Federal agencies that use terrestrial or satellite technology for communications security and an evaluation of the feasibility of using existing systems for the purpose of creating such an emergency back-up public safety communications system; (2) the feasibility of using private satellite, wireless, or terrestrial networks for emergency communications; (3) the technical options, cost, and deployment methods of software, equipment, handsets or desktop communications devices for public safety entities in major urban areas, and nationwide; and (4) the feasibility and cost of necessary changes to the network operations center of terrestrial-based or satellite systems to enable the centers to serve as emergency back-up communications systems. The Commission must submit a report to Congress that details the findings of this evaluation not later than 180

days after the date of enactment of the Act (since the Act was enacted on August 3, 2007, the report will be due to Congress on January 30, 2008).

The Commission will need to collect information from various entities, including commercial service operators (*i.e.*, private satellite, wireline, and wireless operators), users (or owners) of emergency communication systems, and their associations (*e.g.*, emergency responders including first responders, 9-1-1 system and dispatch operators, federal, state and local emergency agencies), manufacturers of public safety equipment and emergency communications systems, and standards organizations and industry groups working on public safety equipment and emergency communications systems, in order to fulfill this statutory mandate. The Commission seeks to collect information primarily through face-to-face meetings, phone calls (including conference calls), and e-mail correspondence. The Commission cannot comply with the normal clearance procedures set forth in 5 C.F.R. § 1320, because the use of normal clearance procedures is likely to prevent the timely collection of critical information essential to the completion of the vulnerability assessment, feasibility evaluation and report required by the Act. The information collection for which we seek OMB emergency approval is vital to the timely fulfillment of the breadth and depth of analysis mandated by the statute.

My staff is ready to work with your PRA Desk Officer to immediately provide any additional information needed to assure OMB's approval of this emergency request by September 19, 2007.

Sincerely,

A handwritten signature in black ink that reads "Karen Wheless". The signature is fluid and cursive, with "Karen" on the top line and "Wheless" on the bottom line.

Karen Wheless  
Associate Managing Director for Performance  
Evaluation and Records Management  
Federal Communications Commission