

**SUPPORTING STATEMENT
U.S. DEPARTMENT OF COMMERCE
NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION
APPLICATION FOR DIGITAL-TO-ANALOG CONVERTER BOX COUPONS
FOR NURSING HOME RESIDENTS
OMB CONTROL NO. 0660-XXXX**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

Congress directed the National Telecommunications and Information Administration (NTIA) to create and implement a program to provide coupons for consumers to purchase digital-to-analog converter boxes. (See Title III of the Deficit Reduction Act of 2005, Pub. L. No. 109-171, 120 Stat. 4, 21 (Feb. 8, 2006)). These converter boxes are necessary for consumers who wish to continue receiving broadcast programming over the air using analog-only television sets after February 17, 2009 - - the date that television stations are required by law to cease analog broadcasting. On March 15, 2007, NTIA published a Final Rule establishing the parameters of the Coupon Program and describing the rights and responsibilities of interested parties. See 72 Fed. Reg. 12097 (March 15, 2007). Among other things, the regulations permit consumers to submit applications to NTIA for coupons beginning January 1, 2008. See 47 C.F.R. section 301.3(b).

Since NTIA began accepting applications for coupons, the Program has received a number of applications submitted by, or on behalf of, individuals residing in nursing homes. “Nursing homes” (or other senior care facilities) are not considered households as defined in the current regulations and therefore nursing home residents are not eligible to receive coupons. Because nursing home residents do not meet the current eligibility criteria under the current regulations, a waiver process is proposed through a Notice of Proposed Rulemaking (NPRM) that would permit nursing home residents to apply for coupons. This waiver process, however, would require the collection of information from a nursing home resident through an application to enable NTIA to identify the consumer, provide the requested coupon, and put into place mechanisms to prevent waste, fraud, and abuse.

2. Explain how, by whom, the frequency, and the purpose for which the information will be used. State whether NTIA’s Information Quality Guidelines apply, if so, confirm that the collection complies with the Guidelines.

The information will be collected via an application process by nursing home residents or others acting on their behalf. The information will be collected by mail, phone, and the Internet. The information solicited will be used for the purpose of providing the requested coupon(s) to

nursing home residents, coordinating distribution activities related to the coupon, and preventing waste, fraud and abuse in the administration of the program.

The information collected will not be disseminated to the public. NTIA's Information Quality Guidelines do not apply.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

NTIA will use web-based information collection technology as part of the application process. Applicants will be able to submit the application via the Internet, mail, or phone. It is estimated that 50% will submit electronically.

4. Describe efforts to identify duplication.

The information collection is unique to this program and is not available from another source.

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

This information collection involves small businesses only to the extent that some nursing homes are considered small businesses. An Initial Regulatory Flexibility Analysis was prepared to address the impact that this rule would have on small businesses. This collection of information does not cause a significant economic impact on small entities. The proposed rule provides two alternatives to minimize any economic impact on nursing care facilities or homes for the elderly. Nursing home residents may apply for coupons directly, thereby eliminating any cost or time by the nursing facility. Alternatively, the proposed rule permits a person acting on behalf of the nursing home resident to apply for the coupon. Either option would remove any cost or time on behalf of a nursing care facility or home for the elderly that is considered a small entity.

6. Describe the consequences the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

If this information is not collected, nursing home residents will not be able to obtain coupons towards the purchase of converter boxes. As a result, those nursing home residents that obtain television broadcasts over-the-air will lose access to television after February 17, 2009.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The data collection is consistent with OMB guidelines.

8. Provide a copy of the PRA Federal Register notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency or to obtain their views on the availability of data, frequency of collection, clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The NPRM (RIN 0660-AA17) soliciting public comment was published in the Federal Register on April 24, 2007 (Vol. 73, pg. 22120).

NTIA has met with nursing home associations to obtain advice on ways to be implement this process.

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

NTIA will not provide gifts or payments to applicants.

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

No assurance of confidentiality is given to applicants.

The application states the following for Social Security Numbers usage –

‘In accordance with the Privacy Act of 1974, disclosure of an individual’s social security number for purposes of this application process is voluntary; however, additional information to verify the resident’s identity will be solicited if the individual chooses not to disclose the SSN. Such additional processes may delay the resident’s receipt of the coupon.’

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 information collection does not contain any questions of a sensitive nature.

12. Provide an estimate in hours of the burden of the collection of information.

It is estimated that it will take 30 minutes to complete the application.

$$13,000,000 \text{ applicants} \times 30 \text{ minutes} = 6,500,000 \text{ hours}$$

13. Provide an estimate of the total annual cost burden to the respondent or record keepers resulting from the collection (excluding the value of the burden hours in #12 above).

Respondents will not incur any annual cost burden as a result of this information collection.

14. Provide estimates of annualized cost to the Federal government.

NTIA provided an Economic Analysis to OMB that provides a detailed analysis of the costs to the government as a result of this change in the coupon program regulations. Depending on the total number of requests from nursing home residents for coupons, NTIA estimates that government costs will be between approximately \$13m - \$17m.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

This is a new collection.

16. For data from the collections that will be published, outline the plans for tabulation and publication.

NTIA will not publish the data collected.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

NTIA is not seeking approval to refrain from displaying the expiration date.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-1.

No exceptions are requested.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection of information will not employ statistical methods.