

Title: 47 CFR Section 73.671, Educational and Informational Programming for Children; 47 CFR Section 73.673, Public Information Initiatives Regarding Educational and Informational Programming for Children

SUPPORTING STATEMENT

A. Justification:

1. 47 CFR 73.671(c)(5) states that a core educational television program must be identified as specifically designed to educate and inform children by the display on the television screen throughout the program of the Educational/Informational symbol "E/I."

47 CFR 73.673 states each commercial television broadcast station licensee must provide information identifying programming specifically designed to educate and inform children to publishers of program guides. Such information must include an indication of the age group for which the program is intended.

These requirements are intended to provide greater clarity about broadcasters' obligations under the Children's Television Act (CTA) of 1990 to air programming "specifically designed" to serve the educational and informational needs of children and to improve public access to information about the availability of these programs. These requirements provide better information to the public about the shows broadcasters air to satisfy their obligation to provide educational and informational programming under the Children's Television Act.

History:

The Commission first adopted the rule, currently codified at 47 CFR Section 73.671, on April 9, 1991. The Commission first adopted 47 CFR Section 73.673 on August 8, 1996. Both rules, which have since been revised in part, implemented the Children's Television Act of 1990 (CTA), which requires the Commission to review television license renewal applications to ensure that the licensee has served the educational and informational needs of children through the licensee's overall programming. Among other things, these rules now require commercial and noncommercial broadcasters to identify programs specifically designed to educate and inform children at the beginning of the program. In addition, commercial broadcasters must provide information identifying programming specifically designed to educate and inform children to publishers of program guides. Such information must include an indication of the age group for which the program is intended.

The Commission is requesting an extension of this information collection in order to receive the three year approval/clearance from OMB for the collection.

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

Statutory authority for this collection of information is contained in Section 154(i) and 303 of the Communications Act of 1934, as amended.

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2. These requirements provide better information to the public about the shows broadcasters air to fulfill their obligation to air educational and informational programming under the CTA. This information will assist parents who wish to guide their children's television viewing. In addition, if large numbers of parents use the educational and informational programming information to choose educational programming for their children, it will increase the likelihood that the market will respond with more educational programming. Better information should help parents and others to have an effective dialogue with broadcasters in their community about children's programming and, where appropriate, to urge programming improvements without resorting to government intervention.

3. Licensees must identify programs specifically designed to educate and inform children using the symbol E/I displayed on the television screen throughout the program. In addition, commercial licensees must provide information identifying programming specifically designed to educate and inform children to publishers of program guides, which information must include the age group for which the program is intended.

4. No other agency imposes a similar information collection on the respondents. There are no similar data available.

5. There is no significant economic impact will be imposed on small entities/businesses.

6. The CTA requires the Commission to review each television license renewal application to ensure that the licensee has served the educational and informational needs of children through the licensee's overall programming, as well as programming specifically designed to serve these needs. The licensee's identification of such programming will improve public access to information about the availability of these programs.

7. This collection of information is consistent with the guidelines in 5 CFR Section 1320.5(d)(2).

8. The Commission published a Notice (73 FR 15156) in the *Federal Register* on March 21, 2008. No comments were generated as a result of the Notice.

9. No payment or gift was provided to the respondents.

10. There is no need for confidentiality for this information collection.

11. This collection of information does not address any private matters of a sensitive nature.

12. We estimate that there are 2,323 commercial, noncommercial and Class A television station licensees.

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Each of these licensees is required to identify programs specifically designed to educate and inform children. We estimate that there are approximately six (6) one-half hour programs per week specifically designed to educate and inform children. We also estimate that it would take approximately one (1) minute per program to ensure that on-the-air identification was provided. In addition, we estimate that out of the total 2,323 licensees there are 1,943 commercial television broadcasters (full-power and Class A). It would take these commercial licensees approximately five (5) minutes per program to convey the children’s television information to publishers of program guides.

Total Number of Respondents: 2,323 Commercial, Noncommercial, Class A Television Broadcast Station Licensees

Total Number of Responses: 4,266

Annual Burden Hours:

Section (a) 73.671: 2,323 station licensees x 6 programs/wk. x 0.50 hour/program/wk. x 0.017 hours (1 minute) x 52 weeks = 6,161 hours

Section (b) 73.673: 1,943 station licensees x 6 programs/wk. x 0.50 hour/program/wk. x 0.083 hours (5 minutes) x 52 weeks = 25,158 hours

Total Annual Burden Hours = 6,161 + 25,158 = 31,319 hours

These estimates are based on FCC staff’s knowledge and familiarity with the availability of the data required.

Annual “In-House” Cost:

(a) We assume that the licensee would use an operations technician at the station to ensure that on-air icon identification is in place for each child’s program. This operations technician is estimated to have an average salary of \$20/hour. It is estimated to take the technician 1 minute per program to ensure that on-air icon identification is in place.

2,323 station licensees x 6 programs/wk. x .50 hrs./program/wk. x 0.017 hours (1 minute)/program x \$20/hour x 52 weeks = \$123,211.92

(b) For commercial stations, including Class A stations, it is industry practice for broadcasters to provide programming information to publishers of program guides. This information is published without cost to the broadcasters. Further, it has become a well-established practice to provide specialized information about programs, such as closed captioning for the hearing impaired. As broadcasters routinely provide such information about programming to program guide publishers, we believe providing information about children’s programming would take minimum effort. We assume that the television licensee would use a secretary at the station to provide this information to the publishers of program guides. It is estimated that this secretary would have an estimated salary of \$12/hour, and it will take the secretary 5 minutes per program to provide the information to publishers.

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1,943 station licensees x 6 programs/wk. x .50 hrs./program/wk. x 0.083 hours (5 minutes)/program
x \$12/hour x 52 weeks = \$ 301,895.56

Total annual "in house" cost: \$123,211.92 + \$301,895.56 = \$425,107.48

13. Annual Cost Burden:

- (a) Total annualized capital/startup costs: None
- (b) Total annual costs (O&M): None
- (c) Total annualized cost requested: **None**

14. There is no cost to the Federal Government.

15. There are no program changes. There is an adjustment of -5,340 hours to the total annual burden hours. This adjustment is due to a decrease in the number of respondents to this information collection.

16. The data will not be published.

17. OMB approval of the expiration date of the collection of information will be displayed at 47 CFR Section 0.408.

18. The Commission published a Federal Register Notice (73 FR 15156) on March 21, 2008 seeking public comment on the information collection requirements contained in this supporting statement. The total annual burden hours was stated in the notice as 26,819 hours. We correct this to read 31,319 hours. There are no other exceptions to the Certification Statement in Item 19 of OMB 83-I.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.