

**SUPPORTING STATEMENT**  
**U.S. DEPARTMENT OF COMMERCE**  
**NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION**  
**APPLICATION FOR DIGITAL-TO-ANALOG CONVERTER BOX**  
**COUPONS FOR CONSUMERS USING POST OFFICE BOXES**  
**FOR MAIL RECEIPT**  
**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 Federal Register 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 on January 1, 2008, it has received and denied applications from a number of consumers that utilize a post office box for mail receipt. NTIA has learned through the appeals process, however, that many applicants have sound reasons for utilizing a post office box for mail receipt. For example, a number of consumers appealing denials expressed concerns about the risk of identity theft as a result of stolen mail received via home delivery as the reason that they receive mail utilizing a post office box. As a consequence, NTIA believes it is appropriate to revisit our rules concerning the treatment of applications using post office boxes. The Notice of Proposed Rulemaking (NPRM) proposed to amend the regulations to permit any household utilizing a post office box for mail receipt to become eligible to apply for and receive coupons as long as the applicant can provide a physical address. A new application will not be developed for use by these consumers.

On June 5, 2008, the Office of Management and Budget (OMB) issued a 'Comment filed on proposed rule' Notice of Action. This request is submitted to address the comments received as a result of the proposed rule, in Question 8 below.

**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 from consumers that utilize post office boxes for mail receipt. The information will be collected by mail, phone, and over the Internet. The information solicited will be used solely for the purpose of providing the requested coupon to these consumers, coordinating distribution activities related to the coupon, and preventing waste, fraud and abuse in the administration of the program.

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. Applications are at <https://www.dtv2009.gov>.

**4. Describe efforts to identify duplication.**

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

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

The information collection does not involve small businesses.

**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, applicants who utilize post office boxes for mail receipt will continue to be denied coupons under the current regulations. As a result, those particular households 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 final rulemaking will be published after receiving the Office of Management and Budget approval. The NPRM (RIN 0660-AA17) soliciting public comment was published in the Federal Register on April 24, 2007 (Vol. 73, pg. 22120).

In the NPRM, NTIA proposed to amend subsection 301.3(a) of its regulations to permit a household utilizing a post office box for mail receipt to become eligible to apply for and receive coupons if it can provide proof of physical residence. NTIA believes that requiring proof of physical residence will balance the need for preventive controls to protect the Coupon Program from waste, fraud, and abuse with the goal of the Program to provide assistance to those consumers that will need a converter box to continue receiving broadcast programming over the air using analog-only televisions.

Specifically, NTIA proposed that an applicant that utilizes a post office box for mail receipt must provide one or more of the following documents to satisfy the requirement for proof of physical residence: a valid driver's license containing the applicant's physical address; a utility bill (water, gas, electric, oil, cable, or landline telephone (*i.e.*, not wireless or pager)) bearing the applicant's name and physical address and issued within the sixty (60) days immediately preceding the date the coupon application is submitted; a government-issued property tax bill for the applicant's residence; an unexpired homeowner's or renter's insurance policy for the applicant's residence; an unexpired residential lease or rental agreement with the applicant's name and physical address. NTIA proposed to only use this information for identification, verification and tracking purposes for the Coupon Program. This information would be collected and maintained in a manner meeting the appropriate level of security required for personally identifiable information. Similar information is routinely collected by governmental agencies to verify residency.<sup>1</sup>

NTIA requested comments on other methods by which it could verify the physical address of an

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<sup>1</sup> See *e.g.*, Cal. Welfare and Institutions Code § 14007.1 (Deering 2007); D.C. Code Ann. § 39-309 (LexisNexis 2008); Ky. Rev. Stat. Ann. § 186.010 (LexisNexis 2008); N.C. Gen. Stat. § 20-7 (2007).

applicant who utilizes a post office box for mail receipt. NTIA also sought information about and estimates of the number of consumers with post office boxes that would apply for coupons if the proposed rule is implemented.

**COMMENT:** The majority of commenters supported NTIA's proposal to permit a household utilizing a post office box for mail receipt to become eligible to apply for and receive coupons. Commenters cited privacy concerns, security reasons and potential identity theft as reasons for choosing to receive mail via post office boxes.

The National Association of Telecommunications Officers and Advisors (NATOA) argued that because NTIA has already adopted regulations that permit post office box use by those who live on Indian reservations, Alaskan Native Villages, and other rural areas, similar regulations should be adopted for others who use post office boxes. Thus, NATOA concludes that the proposed proof of residence requirement is an unnecessary hurdle to consumers who opt to make use of post office delivery. Another commenter suggested a cross-reference of applications to find matching or substantially similar physical address and post office boxes.

**RESPONSE:** Upon careful consideration of the arguments raised in the comments, NTIA has decided to modify some of the requirements for Coupon Program applicants that only utilize post office boxes for mail delivery. NTIA agrees with NATOA that because regulations are already in place for some groups that receive mail via post office boxes, similar regulations should also be adopted for others who use post office boxes. Applicants using post office boxes will not be required to provide documentation to show proof of a physical residence. However, such applicants will be required to provide an actual physical address location along with their post office box number as part of the application process to allow NTIA to verify the legitimacy of the address.

**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 respondents.

**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 provided.

**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 20 minutes to provide answers to this information collection.

$$340,000 \text{ responses} \times 20 \text{ minutes} = 113,333 \text{ hours}$$

**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. NTIA estimates the costs associated with this change to be approximately \$138,334.

**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.**

The data collected will not be published or used for purposes other than providing the requested coupons.

**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.**

Not Applicable.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB**

**83-I.**

No exceptions are requested.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection of information will not employ statistical methods.