

**SUPPORTING STATEMENT
FOR
GRANT PROGRAM UNDER
SECTION 102 OF ENHANCE 911 ACT OF 2004**

A. Justification

1. Explain the circumstances that make the collection of information necessary. Attach a copy of the appropriate statute or regulation mandating or authorizing collection of information.

The "Ensuring Needed Help Arrives Near Callers Employing 911 Act of 2004" or "ENHANCE 911 Act of 2004" (the Act), Pub. L. 108-494, requires the establishment of a National E911 Implementation Coordination Office (ICO), as a joint effort between the National Highway Traffic Safety Administration (NHTSA) and the National Telecommunications and Information Administration (NTIA) (collectively, the Agencies). It delineates the responsibilities of the office to include a joint program to facilitate coordination and communication between Federal, State, and local emergency communications systems, emergency personnel, public safety organizations, telecommunications carriers, and telecommunications equipment manufacturers and vendors involved in the implementation of enhanced 911 (E-911) services. It also mandates that the ICO receive and review grant applications and recommend approval or disapproval for the Agency heads.

The Act, as amended, directs NHTSA and NTIA, acting through the ICO and after consultation with the Department of Homeland Security and the Federal Communications Commission, to provide grants to eligible entities for the implementation and operation of Phase II E-911 services and for migration to an IP-enabled emergency network. The Act directs the Agencies to issue joint regulations prescribing the criteria for selection for grant awards (after a 60-day public comment period). The Agencies published a notice of proposed rulemaking prescribing the criteria for select of grant awards and application requirements on October 3, 2008. (73 FR 57567)

The ICO must collect information from applicants to determine whether the applicants meet the requirements of the Act. The Act requires applicants to certify that it has coordinated its application with the public safety answering points located within its jurisdiction; the State has designated a single officer or governmental body to serve as the coordinator of implementation of E-911 services; it has established a plan for the coordination and implementation of E-911 services; and it has integrated telecommunications services involved in the implementation and delivery of Phase II E-911 services. In addition, the Act requires each applicant to certify that no portion of any designated E-911 charges imposed by the State or other taxing jurisdiction within the State is being or will be obligated or expended for any purpose other than E-911 purposes during the period at least 180 days immediately preceding the date of

the application and continuing throughout the time grant funds are available to the applicant.

The information collected for this grant program is to include application submissions and various reporting requirements. A State that seeks to qualify for an E-911 grant must submit an application, which would consist of a State 911 Plan, project budget(s), designation of E-911 Coordinator and certification required by the Act. Requiring the State to submit a plan, designate an E-911 Coordinator and make certifications will not be a significant extra burden for the State because applicants are required to do so by statute. To reduce burdens, the Agencies would require States to submit project budgets(s) using forms that have received PRA clearance (SF 454). In addition, States will submit performance and financial reports in accordance with 49 CFR Part 18, the Department of Transportation's implementation of the government-wide common grant rule for State and local governments. It is important for the Agencies to have this information so that they can effectively administer the grant program and account for the expenditure of funds.

2. Indicate how, by whom, and for what purpose the information is to be used. Indicate actual use of information received from the current collection.

States and territories will submit applications containing the required information to the ICO by mail. The ICO staff will use the information provided to determine the State's eligibility for E-911 grant funds, including ensuring that all statutory requirements are met.

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

Collection of information will be accomplished through the electronic submission of applications and will include responses to specific requests for information. Analysis and aggregation of information would not be done using technological analysis techniques. Applications will be analyzed individually.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used.

The Act mandates that the ICO collect this information to appropriately assess grant applications for award. The Act also mandates that the ICO develop the regulations prescribing the selection criteria for selection of grants. Because these are new regulations, the information requested has not been collected before, requiring the ICO to request this information from applicants.

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

This item does not apply. States and territories are the only eligible recipients for this grant program.

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

The information is necessary for the ICO to be able to make sound award recommendations regarding the grant program. This is particularly important with the priority assigned to 9-1-1 services by Congress. Without this information, the ICO will not be able to adequately determine whether applicants are eligible for a grant award. The Act requires that applicants verify multiple certifications. The information requested would ensure compliance with the statute.

7. Explain any special circumstances that would cause the information collection to be conducted in a manner inconsistent with the guidelines set forth in 5 CFR 1320.6.

No special circumstances require the collection of information to be conducted in a manner inconsistent with the guidelines in 5 CFR 1320.6.

8. Provide a copy and identify the date and page number of the publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize the public comments received in response to that notice and describe actions taken by the agency in response to these comments. Describe efforts to consult with persons outside the agency to obtain their views.

FEDERAL REGISTER NOTICE: A copy of the Federal Register Notice is provided as an attachment. The Notice appeared in the Federal Register, Volume 73, Number 193, pages 57567 to 57580, October 3, 2008. The closing date for comments was December 2, 2008. No comments were received on this portion of the notice.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payment or gifts will be offered to the respondents submitting applications for 9-1-1 grant funds.

10. Describe any assurance of confidentiality provide to respondents.

No assurance of confidentiality is given by the Agencies. There is no requirement that information be sent to the Agencies. All information submitted by respondents is done so on a voluntary basis.

11. Provide additional justification for questions on matters that are commonly considered private.

The application process will not contain any questions related to matters that are commonly considered sensitive or private.

12. Provide estimates of the hour burden of the collection of information on the respondents.

The Agencies estimate that responses to the questions included in the proposed regulations would require an average of 196 hours to complete. Estimating the maximum number of respondents at 56, this would result in a total burden of 10,976 hours.

The total estimated costs to respondents or record-keepers are based on the following:

- The total hour burden of the collection of information equaling 10,976 hours
- Respondents will be State and territorial government management personnel, as defined by table 3 of the Bureau of Labor Statistics Occupational Employment and Wages at \$37.47/hour
- Total cost based on hour's burden equals \$411,270.72

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (do not include the cost of any hour burden shown in Question 12 or 14).

Not applicable. There is no capital, start-up or annual operation and maintenance costs involved in the collection of information.

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

The estimated annualized costs to the Federal Government are based on the amount of time spent on review by program staff in the Office of Emergency Medical Services. The Agencies estimate that at an average cost of \$40 per hour and an estimated level of 10 hours per respondent, the total cost would be \$22,400 if every State and Territory applies for the grant program.

15. Explain the reasons for any program changes or adjustments report on Items 13 or 14 of the OMB form 83-1.

This is a new ICR, which necessitates a program change. The "Ensuring Needed Help Arrives Near Callers Employing 911 Act of 2004" or "ENHANCE 911 Act of 2004" (the Act), Pub. L. 108-494, requires the National Highway Traffic Safety Administration (NHTSA) and the National Telecommunications and Information Administration (NTIA) (collectively, the Agencies) to provide grants to eligible entities for the implementation and operation of Phase II E-911 services and for migration to an IP-enabled emergency network. The Act establishes certain requirements that applicants must meet in order to receive grants. The agencies must collect applications in order to ensure that applicants meet these statutory and programmatic requirements.

16. For collections of information whose results will be published, outline plans for tabulation and publication.

The information collected will not be tabulated or published.

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

Approval is not being sought to not display the expiration date for OMB approval of the information collection.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-1.

No exceptions to the certification statement are made.

B. Collections of Information Employing Statistical Methods

The proposed regulation will not employ statistical methods to analyze the information collected from respondents.