

Revised January 26, 2010

SUPPORTING STATEMENT

New collection entitled: Schools and Libraries Universal Service Support Program (“E-rate”) Broadband Survey

A. Justification:

1. The American Recovery and Reinvestment Act of 2009 authorized the Federal Communications Commission (Commission or FCC) to create the National Broadband Plan (Broadband Plan) that shall seek to ensure all people of the United States have access to broadband capability and shall establish benchmarks for meeting that goal. The Broadband Plan is scheduled to be submitted to Congress by March 17, 2010. Consistent with this effort, the Commission’s Wireline Competition Bureau seeks to conduct a one-time, voluntary, Internet-based survey of applicants under the Schools and Libraries Universal Service Support Program (also known as the E-rate program) to determine the current state of broadband usage and access of schools and libraries under the E-rate program and their future technological and educational needs. This survey will only be conducted among E-rate applicants and not of all schools and libraries in the United States. The information from this survey will help determine how to best address the educational and technological needs of schools and libraries under the E-rate program as part of the Broadband Plan, as well as, help the Commission to make future policy decisions for the E-rate program. The Commission does not plan to provide a report to Congress on the results of this survey.

Thus, emergency approval is requested so that the Commission can better assess the current and future needs of schools and libraries under the E-rate program when developing a plan for the E-rate program as part of the Broadband Plan due to Congress by March 17, 2010. This collection has been coordinated with the Commission’s Broadband Team and does not duplicate any other collections of emergency information submitted by the Commission’s Broadband Team, which involve consumer and business surveys. Rather, this collection is designed to gather information specifically related to the deployment of broadband services to schools and libraries under the E-rate program.

BACKGROUND:

The E-rate program of the universal service fund provides discounts to assist most schools and libraries in the United States to obtain affordable telecommunications and Internet access. The E-rate program supports connectivity – the conduit or pipeline for communications using telecommunications services and/or the Internet. Funding under the E-rate program is requested under four categories of service: telecommunications services, Internet access, internal connections, and basic maintenance of internal connections. Discounts for support depend on

the level of poverty and the urban/rural status of the population served and range from 20 percent to 90 percent of the costs of eligible services. E-rate program funding is based on demand up to an annual Commission established cap of \$2.25 billion.

At this time, the only information that the targeted respondents, the E-rate applicants, submit to the Commission about their existing broadband usage is provided on the FCC Form 471. Among other things, the FCC Form 471 collects basic information about applicants' requested E-rate services. This limited data requires the Commission to collect additional information on current broadband usage, the use of educational applications requiring broadband capacity, future projected needs, and barriers to broadband access and usage. This information may be used to determine the role of the E-rate program as part of the education plan in the Broadband Plan. Additionally, collecting this information is crucial to help the Commission to make future policy decisions for the E-rate program.

As noted on the OMB Form 83i, this information collection does not affect individuals or households. As such, the Privacy Act is not implicated in this collection.

The statutory authority for this collection is contained in: sections 1-4, 201-205, 218-220, 254, 303(r), and 403 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151-154, 201-205, 218-220, 254, 303(r), 403.

2. The Commission will use the information collected from the survey to help make future policy decisions for the E-rate program. Specifically, the survey is being conducted to collect data about how E-rate funding is being used and might be used in the future because the current FCC Forms do not gather this information. Additionally, the information collected will aid the Commission in better addressing the educational and technological needs of schools and libraries as part of the Broadband Plan. The Commission will also perform a non-response bias study, should the Commission not achieve the 80 percent response rate as required by OMB's standards, to address non-response bias.

3. The collection related to the initial survey will be a voluntary, one-time, Internet-based survey. Additionally, 100 percent of all initial responses will be collected electronically. The collections related to the non-response bias survey will be a voluntary, one-time phone survey. Thus, the responses will be collected verbally. This will help to reduce the administrative burden upon respondents to complete the survey, and enable the Commission to obtain as many responses as possible in a limited amount of time. Additionally, it will enable the Commission to address any non-response bias as a result of the survey.

4. There is no duplication of information. The information sought is unique to each respondent and the current FCC forms used for the E-rate program do not currently collect the information that will be gathered as part of this survey.

5. There is no identified impact on small entities since the surveys are voluntary and does not require a beneficiary under the E-rate program to respond.

6. Without the requested information, the Commission would be unable to gather specific information and data related to current broadband use and access, as well as future projected needs of schools and libraries under the E-rate program. Additionally, without the requested information, the Commission would be unable to sufficiently address any non-response bias as a result of its survey.

7. There are no special circumstances that would cause the information collection to be collected in an inconsistent manner.

8. This is an emergency request and we are requesting a waiver of the 60-day notice requirement. The Commission is requesting a waiver of the 60-day Federal Register notice requirement under 5 CFR 1320.8d, soliciting public comments on the information collection prior to submission to the OMB. Upon OMB approval of this emergency request, the Commission will conduct all the regular OMB processes to obtain the full three-year clearance from OMB.

9. The Commission does not anticipate providing any payment or gift to respondents.

10. Although it is unlikely that the survey will solicit any confidential information, pursuant to 47 C.F.R. § 0.459, a respondent may request that information submitted to the Commission not be put in the public record. The respondent must state the reasons, and the facts on which those reasons are based, for withholding the information from the public record. The appropriate Bureau or Office Chief of the Commission may grant a confidentiality request that presents, by a preponderance of the evidence, a case for non-disclosure consistent with the Freedom of Information Act, 5 U.S.C. § 552. If a confidentiality request is denied, the respondent has five days to appeal the decision before the Commission. If the appeal before the Commission is denied, the respondent has five days to seek a judicial stay.

11. There are no questions of a sensitive nature with respect to the information collected.

12. Estimates of the hour burden of the collection to respondents filing for the survey:

- (1) Number of respondents: Approximately 5,000.
- (2) Frequency of response: One-time
- (3) Annual hour burden per respondent: 20 minutes. Total annual burden: **1,667 hours.**

Estimates of the hour burden of the collection to respondents filing for the non-response bias survey:

- (1) Number of respondents: Approximately 100.
- (2) Frequency of response: One-time
- (3) Annual hour burden per respondent: 5 minutes. Total annual burden: **Approximately 8 hours.**

Thus, the total annual burden hours for these collections are approximately **1,675 hours.**

13. Estimated annualized cost to respondents for the survey: The estimated annualized cost to respondents for the survey is \$66,680 (1,667 hours x approx. \$40/hr). We estimate that time to comply with the requirement will be 1,667 hours x approx. \$40 per hour = \$66,680. There are approximately 25,000 E-rate applicants. The Commission intends to survey a sample size of approximately 5,000 E-rate applicants. Estimates of the hour burden per question are based on the average length of time a respondent will likely require to respond to the request based on the information needed to respond to the questions. Actual hour burdens per respondent may vary depending upon the extent of their knowledge of their particular school's or library's current and future technological and educational needs. The Commission assumes that respondents will use some combination of staff and consultant services (blended rate of \$40/hour) in responding to the survey. Additionally, there will be no filing fee associated with responding to the survey.

Estimated annualized cost to respondents for the non-response bias survey: The estimated annualized cost to respondents is \$320 (8 hours x approx. \$40/hr). We estimate that time to comply with the requirement will be 8 hours x approx. \$40 per hour = \$320. There are approximately 25,000 E-rate applicants. The Commission intends to survey a sample size of approximately 5,000 E-rate applicants as part of the originally fielded survey. As part of this non-response bias survey, the Commission intends to contact 100 non-respondents. Thus, estimates of the hour burden per question are based on the average length of time it will take for a non-respondent to answer the seven questions posed by the interviewer. The Commission assumes that E-rate staff or consultant services in responding to the survey will cost approximately \$40.00 per hour.

Thus, the total estimated annualized cost to respondents for these surveys is **\$67,000**.

14. There will be minimal cost to the Federal government for the survey since an outside party will administer this survey. Specifically, the Commission will use the services of a contractor, Harris Interactive, Inc. (Harris) to draft the survey, conduct the survey, compile the results of the survey, and address any concerns related to the survey and methodology. The estimated total cost for such services is \$36,000. The Commission does not anticipate any additional costs to the Commission as a result of this collection. The Commission does not anticipate any additional costs to the Commission as a result of the collection related to the non-response bias survey since Harris will solely administer this survey.

15. This is a program change increase due to a new collection resulting in approximately 1,675 total annual burden hours (includes the non-response bias survey).

16. The Commission does not anticipate publishing the information collected as a result of this survey. Rather, as indicated above, the Commission anticipates using the information to help determine how to best address the educational and technological needs of schools and libraries under the E-rate program as part of the Broadband Plan and to help the Commission make future policy decisions for the E-rate program. Additionally, the Commission anticipates using the information to help address non-response bias as part of its survey.

17. The Commission will use the OMB expiration date since this a one-time collection and the user interface is electronic. The Commission also publishes a list of all OMB-approved information collections, which will include this one, in 47 C.F.R. § 0.408 of the Commission's rules.

18. There are exceptions to the certification statement because the Commission did not publish the required 60-day notice in the Federal Register due to the emergency nature of this request to the OMB.