

SUPPORTING STATEMENT

A. Justification:

1. The Alternative Broadcast Inspection Program (ABIP) is a series of agreements between the Federal Communications Commission's (FCC) Enforcement Bureau and a private entity, usually a state broadcast association, whereby the private entity agrees to facilitate inspections (and re-inspections, where appropriate) of participating broadcast stations to determine station compliance with FCC regulations.

Broadcast stations participate in ABIP on a voluntary basis.

The private entities notify their local FCC District Office or Resident Agent Office in writing of those stations that pass the ABIP inspection and have been issued a Certificate of Compliance by the ABIP inspector.

The FCC uses this information to determine which broadcast stations have been certified in compliance with FCC Rules and will not be subject to certain random FCC inspections.

This information collection does not affect individuals or households.

Legal authority for this collection of information is contained in 47 U.S.C. 303(n) and 47 C.F.R. § 73.1225.

2. The FCC's Enforcement Bureau regularly uses this information to determine which broadcast stations have been certified in compliance with FCC Rules and will not be subject to certain random inspections conducted by the FCC.
3. The FCC accepts these submissions electronically or by mail.
4. This is a unique collection, and there is no duplication.
5. This collection has no significant impact on small businesses or other small entities. In compliance with the Paperwork Reduction Act of 1995, FCC has made efforts to minimize the burden on all respondents, regardless of size.

The Enforcement Bureau has limited the notification requirement to that which is absolutely necessary for evaluating a station's compliance under the ABIP and to deter against possible abuse.

6. If the Certificates of Compliance are not collected or are collected less frequently, the FCC would be unaware as to which broadcast stations have been certified in compliance with FCC Rules and are not subject to certain random FCC inspections.

Alternative Broadcast Inspection Program (ABIP) Compliance Notification

7. This collection of information is consistent with the guidelines contained in 5 C.F.R. § 1320.6.
8. The FCC published a notice in the *Federal Register* initiating a 60-day comment period, 75 FR 78993, on December 17, 2010. The FCC received no comments.
9. No gifts or payments will be given to respondent for this collection.
10. Parties seeking confidential treatment of materials or information submitted to the FCC should make a request pursuant to 47 C.F.R. § 0.459.
11. This collection does not address any private matters of a sensitive nature.
12. The Enforcement Bureau estimates:
- (a) there will be 53 private entities providing information (approximately one for each state and territory);
- (b) each private entity will conduct approximately 50 inspections a year, resulting in a maximum of 2,650 notifications:
- $$53 \text{ private entities} \times 50 \text{ inspections/annum} = 2,650 \text{ notifications/annum}$$
- (c) the private entities will notify the FCC District Office or Resident Agent Office, which should take approximately 0.084 hours (5 mins) each, which is a 3rd party disclosure:
- $$53 \times 50 \times 0.084 \text{ hours (5 mins)} = 223 \text{ hours}$$
- Total Annual Hourly Burden (3rd Party Disclosures): 223 hrs
13. There is no cost burden to respondents resulting from the collection of information.
14. Cost to the Federal Government: The FCC will use GS-15 District Directors and GS-14 Resident Agents to evaluate and process the notifications, and will use GS-8 office assistants to file the notifications (3rd party disclosures).
- (a) 1,325 notifications reviewed by GS-15 District Directors:
- $$1,325 \text{ notifications} \times 0.084 \text{ hours} \times \$80.65/\text{hour} = \$8,976.35$$
- (b) 1,325 notifications reviewed by GS-14 Resident Agents:
- $$1,325 \text{ notifications} \times 0.084 \text{ hours} \times \$68.56/\text{hour} = \$7,630.73$$

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(c) Notifications filed by GS-8 Office Assistant:

$$2,650 \text{ notifications} \times 0.084 \text{ hours} \times \$30.46/\text{hour} = \$6,780.40$$

Total Cost to the Federal Government = \$23,387.48

15. We have reanalyzed the information collection's annual hourly burden and determined that the burden is all attributable to the 3rd party disclosure:

(a) These inspections are done by the private entities, usually the state broadcast association, whereby the private entity agrees to facilitate inspections (and re-inspections, where appropriate) of participating broadcast stations to determine station compliance with FCC regulations.

(b) The private entity then notifies the local FCC District Office or Resident Agent Office of those stations that passed the ABIP inspection and were issued a Certificate of Compliance—constituting a 3rd party disclosure.

There are no program changes.

16. The results of the collection will not be published.

17. OMB approval of the expiration date of the information collection will be displayed at 47 C.F.R. § 0.408.

18. There are no exceptions to the certification statement of item 19 of the OMB 83-I. As indicated in the responses to Questions 11 and 15, however, we note that we now believe that the total annual hourly burden is attributable entirely to 3rd party disclosures—*i.e.*, the Compliance Certification that the private entities conducting the inspections report to the FCC District Office or Resident Agent Office.

B. Collections of Information Employing Statistical Methods:

No statistical methods are employed.