

SUPPORTING STATEMENT

A. Justification:

Existing Information Collection Requirements:

1. FCC Form 160, "CORES Registration Form," is part of the Commission's Registration System (CORES). This form may be found at: www.fcc.gov/Forms/Form160/160.pdf.
 - (a) Applicants (respondents) use FCC Form 160 to register manually for both "feeable" and "non-feeable" regulatory requirements.
 - (b) Respondents may include individuals¹, private sector entities, *i.e.*, sole proprietor, corporations, joint ventures, universities, partnerships, attorneys, *etc.*, Federal, state, and local government agencies, and/or foreign entities.
 - (c) FCC Form 160 collects information that pertains to the applicant entity's name, address, Taxpayer ID/Social Security Number, contact representative, telephone, e-mail address, and fax number, *etc.*, which is required:
 - (1) to ensure that the applicant receives any refunds due;
 - (2) to service public inquiries;
 - (3) to comply with the *Debt Collection Improvement Act of 1996*; and
to communicate with applicants for administrative matters related to their CORE account, including the confirmation of the respondent's initial registration, and confirmation of subsequent changes to account data.
 - (d) The FCC uses the information applicants provide for registering applicants and licensees doing business with the FCC.
 - (e) Once an applicant completes FCC Form 160, the Commission Registration System (CORES) issues the applicant a FCC Registration Number (FRN).
 - (1) The FRN is a unique business account number, which is used solely for identification purposes.
 - (2) As an alternative, the FRN can be obtained electronically through the FCC webpage: www.fcc.gov/frnreg.

Proposed Information Collection Requirements (The FCC has not adopted any of these proposed requirements):

- (a) On December 7, 2010, the Federal Communication Commission (FCC) released a *Notice of Proposed Rulemaking (NPRM)*, Amendment of Part 1 of the Commission's Rules,

¹ The Commission has determined that there are few if any "individuals" as such filing FCC Form 160, since most of these people are acting in their "entrepreneurial capacity" as "businesses."

Concerning Practice and Procedure, Amendment of CORES Registration System, MD Docket Number 10-234, FCC 10-192. Among other things, in this *NPRM* the FCC has proposed to:

- (1) eliminate some of our exceptions to the requirement that entities and individuals provide their Taxpayer Identification Number (“TIN”) at the time of registration;
 - (2) require FRN holders to provide their e-mail addresses;
 - (3) give FRN holders the option to identify multiple points of contact; and
 - (4) require FRN holders to indicate their tax-exempt status and notify the Commission of pending bankruptcy proceedings.
- (b) All other remaining existing information collection requirements in this *NPRM* would stay as they are.
- (c) The various burden estimates will also remain the same.

New Information Collection Requirements:

- (a) The FCC is currently sending, by U.S. Postal Service, confirmations of CORES registrations and updates.
- (b) The FCC will transition to sending confirmations by email where we have email addresses for the CORES registrants. This is being done because:
- (1) Emailing confirmations instead of sending hard copies will save the FCC considerable money, including labor, paper and postage.
 - (2) Additionally, it is more efficient to transmit confirmations electronically on a real-time base.

This information collection contains personally identifiable information on individuals (PII).²

- (a) The FCC maintains a system of records notice (SORN), FCC/OMD-9, “Commission Registration System (CORES),” to cover the collection, purposes(s), storage, safeguards, and disposal of the PII that individual respondents may submit on FCC Form 160.
- (b) The FCC published this SORN last on April 5, 2006 (71 FR 17234, 17253). It is posted on the FCC Privacy Webpage at:
<http://transition.fcc.gov/omd/privacyact/records-systems.html>.
- (c) The FCC conducted a Privacy Impact Assessment of FCC/OMD-9 SORN and post it on the FCC webpage, as required by OMB Memorandum, M-03-22 (September 22, 2003). It is posted on the FCC Privacy Webpage at:
http://transition.fcc.gov/omd/privacyact/Privacy_Impact_Assessment.html.

² See the explanation in FN 1 for most “individuals” who are filing FCC Form 160.

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Statutory authority for this collection of information is the *Debt Collection Improvement Act of 1996 (DCIA)*, Public Law 104-134, Chapter 10, Section 31001.

2. The Commission uses FCC Form 160 for registering applicants and licensees required to do business with the FCC.
3. The Commission's electronic filing system requires each applicant/regulatee/entity to provide this information when filing their applications, including FCC Form 160.
 - (a) The FCC's application forms have been revised to include the FRN.
 - (b) The applicants (respondents) may use the FCC's Internet portal at: www.fcc.gov/frnreg to provide the information electronically.
 - (c) The Commission places no restrictions on the media that the public uses to file the information.
4. There is no similar information already available.
 - (a) According to the requirements of the *Debt Collection Improvement Act of 1996 (DCIA)*, the Commission is required to obtain this information from entities (respondents) doing business with the FCC.
 - (b) The applicant (respondent) only has to register for a FRN once.
5. In conformance with the Paperwork Reduction Act of 1995, the Commission is making an effort to minimize the burden on all respondents, regardless of size.
 - (a) The collection will have minimal impact on all respondents.
 - (b) The Commission has limited its collection of information to only the extent needed to identify a person or business doing business with the FCC.
6. The FRN is used each time a person or entity does business with the Commission.
 - (a) Although this unique number is stored in the Commission's CORES database, it is an integral part of each filing or service/benefit request.
 - (b) The FRN serves to identify the filer so as to ensure proper crediting of the transaction and money, if applicable.
7. This information is only collected once to obtain a FRN. There are no special circumstances.
8. The Commission published a Notice in the *Federal Register* on July 11, 2013 (78 FR 41795), which initiated a 60-day comment period. No comments were submitted as a result of the notice.
9. Respondents will not receive any payments or gifts.
10. When applicants and licensees register with the FCC, they must provide their Taxpayer Information Number (TIN) and/or Social Security Number (SSN). The FCC's CORES

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Registration System then provides each registrant with a FCC Registration Number (FRN), which identifies the registrant in his/her subsequent dealings with the FCC. This is done to protect the individual's privacy.³ Furthermore:

(a) The Commission maintains a SORN, FCC/OMD-9, "Commission Registration System (CORES)" to cover the collection, purpose(s), storage, safeguards, and disposal of the PII that individual respondents may submit on FCC Form 160.

(b) FCC Form 160 includes a privacy statement to inform applicants (respondents) of the Commission's need to obtain the information and the protections that the FCC has in place to protect the PII.

11. Individuals entrepreneurs⁴ who register using FCC Form 160 must provide their Taxpayer Identification Number (TIN) for the FCC's CORES program to issue a FCC Registration Number (FRN), as required by the *Debt Collection Improvement Act of 1996*.

(a) The FCC has a SORN, FCC/OMD-9, "Commission Registration System (CORES)," which covers the PII that applicants submit on FCC Form 160, as noted above.

(b) Furthermore, the Commission will redact any PII submitted on this form before it makes FCC Form 160 available for public inspection.

12. The Commission estimates that:

(a) There are 93,000 respondents⁵ who are required to file FCC Form 160. They are broken down as follow:

- (1) Individuals & households ("individuals") - 65,000
- (2) Businesses and other for-profit entities ("businesses") - 17,000
- (3) State, local or tribal governments ("governments") - 7,000
- (4) Institutions and other non-profits ("institutions") - 4,000

(b) The average burden on respondents is approximately ten minutes (0.167 hours) based on FCC staff's knowledge and familiarity with the data that respondents are required to have to file FCC Form 160, "CORES Registration Form:" The number of responses is calculated as one response per applicant and a one-time reporting requirement to register with the FCC. The annual hourly burden is calculated as follow:

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|-------------------|--|--------------|
| (1) Individuals: | 65,000 responses x 0.167 hour (10 minutes) = | 10,855 hours |
| (2) Businesses: | 17,000 responses x 0.167 hour (10 minutes) = | 2,839 hours |
| (3) Governments: | 7,000 responses x 0.167 hour (10 minutes) = | 1,169 hours |
| (4) Institutions: | 4,000 responses x 0.167 hour (10 minutes) = | 668 hours |

Total Number of Respondents: 93,000 applicants

Total Number of Responses: 93,000 responses

³ Idid.

⁴ Ibid.

⁵ Based on actual number of responses in 2012, rounded up to thousands.

Total Annual Hourly Burden: 10,855 hrs + 2,839 hrs + 1,169 hrs + 668 hrs = 15,531 hrs

The Commission estimates that respondents will use the equivalent of a senior staff person at the GS-13/Step 5 (\$48.51 per hour) to complete and file FCC Form 160:

(1) Individuals: 10,855 hours x \$48.51/hour = \$526,592.75

(2) Businesses: 2,839 hours x \$48.51/hour = \$137,724.26

(3) Governments: 1,169 hours x \$48.51/hour = \$56,709.99

(4) Institutions: 668 hours x \$48.51/hour = \$32,405.71

Total “In House” Costs:

$\$526,592.75 + \$137,724.26 + \$56,709.99 + \$32,405.71 = \mathbf{\$753,432.70}$

13. The Total Annual Reporting and Recordkeeping Cost Burden estimates:

(a) Total annualized capital/startup costs: \$.00

(b) Total annual costs (O&M): \$0.00

(c) Total annualized cost requested: \$0.00

14. There are no costs to the Federal Government:

(a) Congress requires the FCC to collect section 9 regulatory fees, which provide the major funding source for the FCC’s operating budget; and

(b) The FCC considers the costs to administer the regulatory fee program, including processing FCC Form 160, as part of its regular operations.

15. The Commission has made the following adjustments:

(a) The Commission has changed the total number of respondents, the total number of annual responses, and the total annual hourly burden based on our review of the actual 2012 filings for Form 160 (and for Form 161). There has been a decrease in the number of respondents, we have thus decreased our estimate of the total annual hourly burden from 25,050 hours to 15,531 hours; and

(b) Upon closer examination, the Commission notes that the “individuals”⁶ who are filing FCC Form 160 are doing so in their “entrepreneurial capacity” as business owners, which exempts most of the information that they provide from the personally identifiable information (PII) covered by the Privacy Act. Nonetheless, there is a system of records notice, FCC/OMD-9, “Commission Registration System (CORES)” to cover any PII data that they may provide.

⁶ Ibid.

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- (c) As noted in Question 1, the FCC is currently sending, by U.S. Postal Service, confirmations of CORES registrations and updates. The FCC will transition to sending confirmations by email where we have email addresses for the CORES registrants. Emailing confirmations instead of sending hard copies will save the FCC considerable money, including labor, paper and postage. Additionally, it is more efficient to transmit confirmations electronically on a real-time base.

16. The data will not be published for statistical use.

17. We are seeking continued OMB approval to not display the expiration date of OMB approval of the information collection.

- (a) Once the form is printed, by waiving the OMB expiration date, it allows the Commission to maintain paper stocks of forms rather than destroying them away because of an outdated OMB expiration date or change to our electronic forms that are available on the Internet or Right Fax system.

(b) The Commission will use an edition date in lieu of an OMB expiration date.

- (c) Additionally, the Commission published all OMB-approved information collections in 47 CFR § 0.408.

18. There are no other exceptions to item 19 of the OMB 83-I "Certification Statement."

B. Collections of Information Employing Statistical Methods:

This information collection does not employ any statistical methods.