

March 11, 2014  
Revised August 19, 2014

**SUPPORTING STATEMENT**  
**(0572-0134)**

**Public Television Digital Transition Grant Program**

A. Justification

**1. Explain the circumstances that make the collection of information necessary.**

The Rural Utilities Service (RUS), an agency of United States Department of Agriculture, assists with the nation's completion of the transition to digital television. Congress recognized the need to facilitate the digital transition in public television stations serving rural areas. Beginning in 2003, the Omnibus Appropriations Act (Public Law 108-7) provided for \$15,000,000 in grant funds in the Distance Learning and Telemedicine Grant Program budget for public broadcasting systems to meet the digital transition. This amount was awarded to 16 different recipients to finance the conversion of television services to digital broadcasting for small rural public television stations in February 2004.

The Program initially operated under a temporary regulation, however, in FY 2006, RUS wrote new regulations incorporating the statutory requirements and updating the competitive grant program. The regulations codified the grant program and simplified the information collection burden for grant applicants.

In subsequent years the following amounts were awarded:

FY 2004: \$14,000,000 – 18 awards; FY 2006: \$4,970,000 – 10 awards

FY 2007: \$4,950,000 – 7 awards; FY 2008: \$4,965,000 – 19 awards

FY 2009: \$5,086,000 – 10 awards; FY 2010: \$6,180,188 – 14 awards

FY 2011: \$4,750,955 – 15 awards; FY 2012: \$3,263,833 – 10 awards

FY2013: \$3,030,922 – 7 awards

The Federal Communications Commission required that all television stations have their transmitters converted to digital broadcast signals by June 12, 2009. While stations must broadcast their main transmitter signal in digital, many rural stations even now have yet to complete a full digital transition of their stations across all equipment. Rural stations often have translators serving small or isolated areas that have not completed the transition to digital. Because the FCC deadline did not apply to translators, they are allowed to continue broadcasting in analog. Some rural stations also have not fully converted production and studio equipment to digital. The digital transition also created some service gaps where households receiving an analog signal are now unable to receive

a digital signal. This explains why the grant program has continued past the FCC digital transition deadline of June 2009.

**2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the Agency has made of the information received from the current collection.**

The “Rural Public Television Digital Transition Grant Program Application Guide” provides applicants with needed information, definitions and details for completing and submitting an application. All forms, samples and certifications can be found in the “toolkit” to use in conjunction with the application guide to assemble the application. Applicants need to review the program regulation (7 CFR 1740). Copies of the guide, toolkit, regulation and the announcement of the application window are available at the Agency web site: [http://www.rurdev.usda.gov/UTP\\_DTV.html](http://www.rurdev.usda.gov/UTP_DTV.html).

Prior to submitting an application, all applicants must register in the **System for Award Management (SAM)**: <https://www.sam.gov>.

A brief overview of application information is given below:

Eligible applicants must be a public television station that services a rural area regardless of whether it also serves any urban area. Only stations required by the Federal Communications Commission to convert from analog to digital broadcasting are eligible. Eligibility Information can be found in the Notice of Funding Availability (NOFA) and in the regulations at 7 CFR 1740.3. Applications may be submitted by eligible entities to RUS via electronic or hard copy and applicants submit grant applications containing items set forth in the regulation. RUS offers and encourages applicants to apply for this program through Grants.gov. The Agency uses submitted information to score and rank applications for funding, enabling scoring in three categories: rurality – a measure of the rural character of the applicant’s digital television coverage area; economic need - as measured by averaging the eligibility percentage rates of all school districts for National School Lunch Program participation within core coverage area of the project; and critical need, which measures special disadvantaging factors facing the station's transition plans. It is also a measure of the urgency and importance of the project to the rural area the applicant serves. A more detailed explanation of the categories, how scoring and ranking is calculated in each category and any additional documentation (i.e., maps, itemized breakdown of cost spreadsheet etc.) and instructions is set forth in the “Rural Public Television Digital Transition Grant Program Application Guide.”

Specific information required under this collection consists of the following:

Standard Form (SF) 424 - Application for Federal Assistance

The Executive Summary, not to exceed two pages describing the public television station, its service area and offerings, its current digital transition status, and the proposed project.

Evidence of eligibility such as:

- A spreadsheet showing the total project cost, with a breakdown of items detailing all the estimated costs associated with the project and the source of the funding (including all other funding such as station funds and other Federal funds) sufficient to enable RUS to determine that all costs financed with Program Grant funds are for eligible purposes.,
- A map or maps, showing the digital television core coverage area for the proposed grant project.

The applicant’s estimated rurality score, supported by a worksheet showing the population of its digital television coverage area, the derivation of the urban and rural components of that population, and a map showing the digital television coverage area and all urban areas within its boundaries. Calculation of the rurality score is presented in detail in the “Rural Public Television Digital Transition Grant Program FY2014 Application Guide,” along with the formula for finding the rurality score.<sup>1</sup> Supporting information shall list the sources of all population and coverage area information, and if the application includes computations made by a consultant or other organization outside the public television station, shall state the details of the collaboration.

For the applicant’s core coverage area, the percentage of students who are eligible for benefits from the National School Lunch Program.

A narrative demonstrating critical need – measures the urgency and importance of the project to the rural area the applicant serves and measures special disadvantaging factors facing the station's transition plans. 7 CFR 1740 lists six examples of factors considered in determining the critical need score and the list is not intended to limit the forms of critical need that may be presented for consideration by the applicant. The examples presented are geographic or coverage characteristics of the stations digital television coverage area that make the digital transition unusually expensive; a severe lack of specialized human resources (such as teachers) for which digital educational television may compensate; geographic isolation of communities which may be overcome by adding public television station services; non-traditional community needs (such as adult vocational retraining) that may be met only with digital public television station broadcast capabilities; historical events that have placed the public television station in severe financial stress; and the degree to which the project purposes will specifically benefit the rural public. Additional guidance concerning critical need factors may be located in the 2014 Application Guide.

Evidence that the Federal Communications Commission has authorized initiation of digital broadcasting at each of the applicant’s transmitter and translator sites. In the event that a Federal Communications Commission construction permit has not been issued for

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<sup>1</sup> Applicants shall provide the populations of the core coverage area broken into rural and urban totals. Generally parts of that area with population over 20,000 are considered urban in this program. The formula for finding the rurality score is :  $100 \times ((\text{total population} - \text{urban population})/\text{total population}) - 50$ . See Rural Public Television Digital Transition Grant Program FY2014 Application Guide, Page 12.

one or more sites, the Agency may include those sites in the grant, and make advance of funds for that site conditional upon the submission of a construction permit.

Compliance with other Federal statutes. The applicant must provide evidence of compliance with other Federal statutes and regulations, including, but not limited to the following:

- Executive Orders 13198 and 13199 creating the White House Office of Faith-Based and Community Initiatives on January 29, 2001. The “Survey on Ensuring Equal Opportunity for Applicants” provides information to determine the level of faith-based and community participation in the grant programs of the Department of Agriculture.
- Executive Order (E.O.) 11246, Equal Employment Opportunity, as amended by E.O. 11375 and as supplemented by regulations contained in 41 CFR Part 60; The “Equal Opportunity and Nondiscrimination Certification” – Applicants commit to carry out established policy of the nondiscrimination laws and executive orders to the effect that no person shall be subject to discrimination on the basis of “race, color, national origin, handicap, or age” nor shall they be denied the benefits of, or otherwise be subject to discrimination under the Public Television Station Digital Transition Grant Program.
- The Architectural Barriers Act of 1968, as amended, 42 U.S.C. 4151 *et seq.* and the Uniform Federal Accessibility Standards (Appendix A to 41 CFR subpart 101-196. “Certificate Regarding Architectural Barriers. Applicants commit to carry out RUS established policy to comply with the requirements of the above-referenced law to the effect that all facilities must be readily accessible to and usable by handicapped persons.
- National Flood Insurance Act of 1968, as amended by the Flood Disaster Protection Act of 1973, as amended (42 U.S.C. 4001 through 4128). If project is located in an area subject to flooding, the applicant certifies that it is in compliance with the law and commits to providing flood insurance to the extent available and required under the above-referenced laws.
- Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. 4601-4755 and implementing Federal regulations in 49 CFR Part 24 and 7 CFR Part 21. “Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Certification.” Applicants commit to provide relocation assistance in the event Federal financial assistance is used to pay for any part of the cost of a program or project which will result in the displacement of any person.
- Drug-Free Workplace Act of 1998 (P.L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 *et seq.*, 7 CFR Part 3017, Subpart F, Section 3017.600. “Certification Regarding Drug-Free Workplace Requirements Alternative I – For Grantees Other than Individuals.” Grantees certify that it will provide a drug-free workplace.
- Executive Order 12549, 7 CFR Part 3017, Section 3017.510, Participants Responsibilities. “Certification Regarding Debarment, Suspension and Other Responsibility Matters – Primary Covered Transactions.” The applicant certifies

that it and its principals are not debarred suspended, proposed for Debarment, or been convicted or had civil judgment rendered for specified criminal offenses or fraud or have not had a public transaction terminated for cause of default.

- Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). “Certification Regarding Lobbying for Contracts, Grants, Loans, and Cooperative Agreements.” Applicants certify that no Federal funds have or will be paid to lobbyists and specifies that applicants must complete and submit Standard Form-LLL, “Disclosure Form to Report Lobbying” if any funds other than Federal funds have or will be paid to any person for influencing or attempting to influence officers or employees of agencies and/or Members of Congress in connection with the grant.
- “Federal Obligations Certification on Delinquent Debt.” This form informs the applicant of the Federal collection policies for commercial debt and allows the applicant to certify whether or not it is delinquent on any Federal debt.
- Economic impact and historic preservation. The applicant must provide details of the digital transition's impact on the environment and historic preservation, and comply with 7 CFR 1794, which contains the Agency’s policies and procedures for implementing a variety of federal statutes, regulations, and executive orders generally pertaining to the protection of the quality of the human environment. The application shall contain a separate section entitled "Environmental Impact of the Digital Transition." This shall include the Environmental Questionnaire/Certification, which is available from the Agency, on which the applicant describes the impact of its digital transition. Submission of the Environmental Questionnaire/Certification does not constitute compliance with 7 CFR 1794.
- “Representations Regarding Felony Conviction and Tax Delinquent Status for Corporate Applicants.” Applicants provide information regarding convictions of felony criminal violations and/or unpaid Federal tax liability assessments.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection.**

RUS is committed to complying with the requirements of the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes. The Agency offers and encourages applicants to apply for this program through Grants.gov and accepts electronically submitted applications.

**4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.**

The information that applicants will submit under this request has not been collected by this or any other Federal Agency. Each applicant is unique and applications will be for a

new project and for new purposes. No duplication exists in the collection of information from applicants.

**5. If the collection of information impacts small businesses or other small entities (item 5 of OMB Form 83-1), describe any methods used to minimize burden.**

RUS Telecommunication borrowers are members of the “wired telecommunication carriers” (NAICS 517110) and the SBA size standard for this industry is 1,500 employees. All telecommunications borrowers and all applicants for the Public Television Digital Transition Grant Program are considered SBA small business as all have less than 1,500 employees. The grant application process has been designed to have minimal impact on small businesses. The scoring has been kept to only three elements, requested narratives have length limits placed upon them, and the Agency has researched the information requested to ensure that it is information reasonably available to potential applicants. Information requested is unique to each applicant and is the minimum required to determine eligibility.

**6. Describe the consequences to Federal program or policy activities if the collection is not conducted or conducted less frequently, as well as any technical or legal obstacles to reducing burden.**

If this information is not collected, there would be no basis for awarding grant funding. Since this is a one-time collection from each applicant, it cannot be collected less often. The digital television transition is a one-time changeover in technology, so the projects will not be repeated in any geographical area. Failure to collect adequate information from applicants could result in improper determinations of eligibility.

**7. Explain any special circumstances that would cause an information collection to be conducted in a manner:**

- a. Requiring respondents to report information more than quarterly.

Information is submitted only once per applicant for this grant authorization.

- b. Requiring written responses in less than 30 days.

If an application contains information that appears to be incorrect or incomplete, the Agency could give the applicant an opportunity to provide the correct or complete information. The Agency could place a time limit of less than 30 days for submission of this type of information. Otherwise, there is no such requirement.

- c. Requiring more than an original and two copies.

The Agency does not request more than an original and two copies of any document.

- d. Requiring respondents to retain records for more than 3 years.

There are no special circumstances. The collection of information is conducted in a manner consistent with the provisions of the Paperwork Reduction Act of 1995 (PRA, 44 U.S.C. chapter 35), set forth in 5 CFR 1320.6.

e. That is not designed to produce valid and reliable results that can be generalized to the universe of study.

This collection does not involve statistical information.

f. Requiring use of statistical sampling which has not been reviewed and approved by OMB.

This collection does not involve statistical sampling.

g. Requiring a pledge of confidentiality.

This collection does not involve a pledge of confidentiality.

h. Requiring submission of proprietary trade secrets.

This collection does not require submission of proprietary trade secrets.

**8. If applicable, identify the date and page number of publication in the Federal Register of the agency's notice soliciting comments on the information collection. Summarize public comments received 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 on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, reporting format (if any), and on data elements to be recorded, disclosed, or reported.**

As required by 5 CFR 1320.8(d), a 60-day Notice to request comments was published in the Federal Register on February 21, 2014 at 79 FR 9877 (35). No comments were received. The Agency is in frequent individual contact with applicants, awardees, and other interested parties and solicits input on the Program. Specifically in response to this paperwork burden information request, several grant program participants were contacted for comments. Respondent contact information and a summary of comments follow:

Fred Engel  
Senior Director of Technology  
Kentucky Educational Television  
600 Cooper Drive  
Lexington, Kentucky 40502-2296  
Tel: (859) 258-7000

Mr. Engel of Kentucky Educational Television reported that the current format for instruction and reporting works well. The application process is very understandable and relatively simple to perform after the necessary data is collected. Mr. Engel pointed out that locating the data necessary to calculate the county “need” scores, i.e. school lunch data, involves a bit of diligence but explained that this is due to the method his state has for reporting and making the school lunch data available for the public.

Bill Legere  
President and General Manager  
Capital Community Broadcasting, Inc.  
360 Egan Drive  
Juneau, Alaska 99801  
Tel: (907) 463-6406

Capital Community Broadcasting, Inc. reports that they found the explanation of the program criteria, the application process and the forms clear and straightforward. They had no difficulty with the instructions, which were detailed and helpful. The financial and reporting requirements are not too time consuming.

Stephanie Stemle  
Grant Specialist  
Vincennes University  
1002 N. First Street  
Vincennes, Indiana 47591  
Tel: (812) 888-4933

The respondent from Vincennes University reported that the required data to apply to the program was easily identifiable and readily available. The grant application package provided instructions and links for locating the data needed to complete the application. The time involved in completing the grant application was reasonable and similar to other federal grant applications. The reporting requirements are also practical and provide the applicant with the opportunity to submit pertinent information to the USDA regarding financial and programmatic progress without creating a burden to the university.

Joel Householter  
Director of Operations and Engineering  
Redwood Empire Public Television, Inc. (KEET-TV)  
P.O. Box 13  
Eureka, California 95502  
Tel: (707) 445-0813, Ext. 204

Redwood Empire Public Television reported that its station KEET has prepared and submitted 4-5 applications to RUS over the years. They have encountered few problems in preparing an application and report that instructions are clear and directions to the sites necessary to obtain information are concise. They point out that the RUS grant



application and administration process, when compared to other Federal grant programs they have applied for and utilized, should serve as a model for other grant programs.

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

No such decision has been made.

**10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or Agency policy.**

There has been no assurance of confidentiality offered. Information submitted to the Agency by applicants and borrowers is covered by provisions of the Freedom of Information Act (5 U.S.C. 552).

**11. Provide additional justification for any question of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private.**

There is no request for sensitive information.

**12. Provide estimates of the hour burden of the collection of information.**

Based on Agency experience including the number of applicants from past NOFAs, the Agency estimates that an average of 30 applications are submitted annually. From the 30 applications it is estimated that, based on the Agency's experience concerning past funding amounts, approximately 8 grant awards will be made. The Agency estimates that there are 30 respondents, and 68 responses for a total of 744 burden hours. Applicant registration in the "System for Award Management" (SAM) requires 1 hour per respondent, for all respondents, totaling 30 hours. After registration in SAM, completion of the Public Television Digital Transition Grant application per respondent is 23 hours (4 hours of time from an Engineer, 4 hours of management analyst time and 15 hours of clerical/administrative time) for a total of 690 hours. Therefore, total application time, including SAM registration and completion of grant application is 720 hours (690+30). Respondent time required to complete the grant agreement on awarded grants is estimated at 3 hours and totals 24 hours as there are an estimate 8 annual grant awards. (See separate spreadsheet RUS Form 36 for complete breakout of the burden).

The total cost to respondents is estimated to be \$26,552. The estimated wage rates of \$43.09/hr for engineer (Occupation Code 17-2070), \$37.79/hr for analyst (Occupation Code 13-1111), and \$15.15 for clerical staff (Occupation Code 43-0000) were based on information from the Bureau of Labor Statistics, median hourly wages found at [http://www.bls.gov/oes/current/oes\\_nat.htm](http://www.bls.gov/oes/current/oes_nat.htm) . Estimated cost for duplication and shipping cost is \$85.00 per application and totals \$2,550. With the addition of cost of employee benefits respondent cost can be demonstrated in the following chart:

Category	Hours	Hourly rate/benefit	Number of Responses	Dollars per category
Application				
Engineer (includes SF-424)	4.75	\$55.76	30	\$7,946
Mgmt Analyst	4	\$48.90	30	\$5,868
Clerical (includes SAM registration)	15	\$19.60	30	\$8,820
Shipping/copying (\$85 per application)				\$2,550
Grant Agreement				
Engineer	3	\$55.76	8	\$1,338
Total Cost				\$26,522

Historical data provided by the Bureau of Labor Statistics, Employer Cost for Employee Compensation Supplemental Tables Historical Data December 2006-September 2012 was used to calculate the total cost of benefits. Benefits as a percentage of total compensation for Private trade, transportation and utilities industry workers were 29.4% of total hourly compensation. See, <http://www.bls.gov/ncs/ect/sp/ecsupt.pdf>, page 91.

**13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information.**

**(a) Total capital and start-up cost component (annualized over its expected useful life); and**

There are no capital and start-up cost components associated with this collection.

**(b) Total operation and maintenance and purchase of services component.**

No operations and maintenance or purchase of services are required.

**14. Provide estimates of annualized cost to the Federal Government.**

The Agency uses the application information submitted by respondents to score and rank applications for funding. The information collected enables scoring in three categories: rurality, economic need as measured by eligibility for National School Lunch Program participation, and critical need, which measures special disadvantaging factors facing the station's transition plans. The Agency receives 30 applications annually and reviewing and scoring each application is estimated to require 10 hours of staff time. The annual cost to the Federal Government to administer the activities of this program is estimated to be \$23,552. Cost estimates include the cost of staff time and the addition of overhead costs such as printing, publication of Notices of Funding Availability, etc. The hourly wage for GS 13/Step 5 is \$48.83 and the cost of benefits is \$17.70<sup>2</sup>. Total hourly wage cost is \$66.53. The cost of overhead is included in the calculation and the total annualized cost to the Federal Government is illustrated as follows:

<sup>2</sup> Cost of total benefits as a percentage of total compensation for Federal Government has been calculated by multiplying 36.25% by the annual OPM wage and adding that amount in accordance with OMB Memorandum M-08 13.

Federal Pay Grade	Wage/Benefit per hour	Hours per application	Number of applications	Total
GS 13/5	\$66.53	10	30	\$19,959
18% for overhead				\$3,593
				0

**15. Explain the reasons for any program changes or adjustments reported in items 13 or 14 of the OMB Form 83-1.**

This is a revised extension of a currently approved information collection. The number of annual applications decreased from 40 to 30 along with a decrease in annual grant awards from 10 to 8 for a decrease of 12 responses and 236 hours. However, with the addition of applicant registration in the “System for Award Management” (SAM), responses increased by 30 and burden increased by 30 hours. The net result is an increase of 18 responses and a decrease of 206 hours for a total of 744 hours. See separate spreadsheet for complete breakdown of burden information.

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

There are no plans to publish this information.

**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.**

The Agency is not seeking such approval.

**18. Explain each exception to the certification statement identified in item 19 on OMB 83-1.**

There are no exceptions.

**B. Collection of Information Employing Statistical Methods.**

This collection does not involve statistical methods.