

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
 - (4) to communicate with applicants for administrative matters related to their CORES 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: <https://apps.fcc.gov/cores>.
 - (f) The FCC is currently sending, by U.S. Postal Service, confirmations of CORES registrations and updates.
 - (g) The FCC will transition to sending confirmations by email where we have email addresses for the CORES registrants. This is being done because:

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."

- (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.

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, 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.

All other remaining existing information collection requirements in this *NPRM* would stay as they are. The various burden estimates will also remain the same.

New Information Collection Requirements:

Restricted Use FRNs for Form 323² and Form 323-E

FRNs that are created in CORES and are used for Form 323 (Ownership Report for Commercial Broadcast Station) and Form 323-E (Ownership Report for Noncommercial Educational Broadcast Station) often do not contain the Social Security Numbers (SSNs) of the owners themselves, since these FRNs are not always created by the owners of the media stations, themselves. Therefore, it can be difficult to uniquely identify these owners without their SSNs.

Consequently, a separate option will be created in CORES to register Restricted Use FRNs (RU FRNs). The requirements are as follows:

- (a) Only individual entities (not businesses) can register for these FRNs
- (b) RU FRNs will only allow a user access to Form 323 or Form 323-E
- (c) Users must be able to provide a contact address for the FRN that may or may not be part of the United States or its territories

² FCC Form 323 is covered under OMB Control Number 3060-0010, Ownership Report for Commercial Broadcast Station and FCC Form 323-E is covered under OMB Control Number 3060-0084, Ownership Report for Noncommercial Educational Broadcast Station.

(d) They must contain the following fields:

- First Name
- Last Name
- Last four digits of Social Security Number
- Date of Birth
- Contact Address (Address Line 1, Address Line 2 (optional), City, State, Zip Code)

(e) Individuals should be limited to only registering for one Restricted Use FRN. This will be validated using the following information:

- Last four digits of Social Security Number
- Date of Birth
- First Name
- Last Name

This information collection contains personally identifiable information on individuals (PII).³

- (a) The FCC maintains a system of records notice (SORN), FCC/OMD-25, Financial Operations Information System (FOIS) to cover the collection, purposes(s), storage, safeguards, and disposal of the PII that individual respondents may submit on FCC Form 160. With the approval of FCC/OMD-25 on November 28, 2016, the PII in FCC/OMD-9, "Commission Registration System (CORES)" has been incorporated into FCC/OMD-25, and OMD-9 SORN is now cancelled.
- (b) The FCC published this SORN last on October 6, 2016 (81 FR 69522). FCC/OMD-25 is posted on the FCC Privacy Webpage at:
<http://transition.fcc.gov/omd/privacyact/records-systems.html>.
- (c) The FCC is in the process of updating the Privacy Impact Assessment of the CORES information system. Upon completion it will replace the current CORES information system that is posted 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.

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:
<https://apps.fcc.gov/cores> to provide the information electronically.

³ See the explanation in FN 1 for most "individuals" who are filing FCC Form 160.

- (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 December 13, 2016 (81 FR 89938), 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 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.⁴ Furthermore:
- (a) As noted in Question 1, the Commission maintains a SORN, FCC/OMD-25, Financial Operations Information System (FOIS), to cover the collection, purpose(s), storage, safeguards, and disposal of the PII that individual respondents may submit on FCC Form 160.

⁴ Ibid.

(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 entrepreneurs⁵ 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-25, Financial Operations Information System (FOIS), 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 respondents⁶ who are required to file FCC Form 160.

(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:

$$93,000 \text{ responses} \times 0.167 \text{ hours (10 minutes)} = 15,531 \text{ hours.}$$

Total Number of Respondents: 93,000 applicants

Total Number of Responses: 93,000 responses

Total Annual Hourly Burden: 15,531 hours

The Commission estimates that respondents will use the equivalent of a senior staff person at the GS-13/Step 5 (\$51.48 per hour) to complete and file FCC Form 160:

$$93,000 \text{ responses} \times 0.167 \text{ hours (ten minutes)} \times \$51.48/\text{hour} = \$799,535.88$$

Total "In House" Costs: \$799,535.88

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

⁵ Ibid.

⁶ Based on actual number of responses in 2012, rounded up to thousands. This data is still accurate in this submission to OMB.

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 is reporting a program change to this information collection. This revision is due to modifying Form 160 which now includes an additional Registrant Type in the form called Restricted Use FRN. There are no changes in the total number of respondents, total annual responses, and total annual burden hours with this submission to OMB.
- (b) Upon closer examination, the Commission notes that the "individuals"⁷ 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-25, Financial Operations Information System (FOIS) to cover any PII data that they may provide.

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 exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

This information collection does not employ any statistical methods.

⁷ Ibid.