

## **Supporting Statement for Paperwork Reduction Act Submissions**

**Title:**

**OMB Control Number: 1670-0005**

**Telecommunications Service Priority System**

**Supporting Statement A**

### **A. Justification**

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

On April 3, 1984, President Ronald Reagan signed Executive Order (E.O.) 12472 which broadened the National Communication System's (NCS) national security and emergency preparedness (NS/EP) capabilities and superseded President Kennedy's original 1963 memorandum. The NCS expanded from its original six members to an interagency group of 23 Federal departments and agencies, and began coordinating and planning NS/EP telecommunications to support crises and disasters.

The Telecommunications Service Priority (TSP) Program was proposed to the Federal Communications Commission (FCC) by the former National Communications System (NCS) in 1987 and adopted by the FCC through a Report and Order on November 17, 1989. TSP replaced the earlier Restoration Priority System and improves on that program by fully addressing the Government's need for priority treatment of national security/emergency preparedness (NS/EP) telecommunications services. Per E.O. 13618, the TSP Program is now managed at the Department of Homeland Security (DHS) Emergency Communications Division (ECD).

NS/EP telecommunications is an abbreviation for National Security or Emergency Preparedness telecommunications of the United States. Telecommunications services that are used to maintain a state of readiness or to respond to and manage any event or crisis (local, national, or international) that causes or could cause injury or harm to the population, damage to or loss of property, or degrade or threaten the national security or emergency preparedness posture of the United States.

Telecommunications Service Priority (TSP) authorizes national security and emergency preparedness organizations to receive priority treatment for vital voice and data circuits or other telecommunications service, under National Security or Emergency Preparedness telecommunications (NS/EP). The TSP Program provides service vendors a Federal Communications Commission (FCC) mandate to prioritize requests by identifying those services critical to national security and emergency preparedness. A TSP assignment ensures that it will receive priority attention by the service vendor before any non-TSP service.

Four broad categories serve as guidelines for determining whether a circuit or telecommunications service is eligible for priority provisioning or restoration. TSP service user organizations may be in the Federal, State, local, or tribal government, critical infrastructure sectors in industry, non-profit organizations that perform critical NS/EP functions, or foreign governments. Typical TSP service users are responsible for the command and control functions critical to management of and response to NS/EP situations, particularly during the first 24 to 72 hours following an event.

Additional authority includes, 47 CFR Part 64, Appendix A, “Telecommunications Service Priority System for National Security Emergency Preparedness”.

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.

Information to request a priority, to obtain a sponsor for requesting a priority, and for other administrative requirements of the program is required from any person or organization having an NS/EP service for which they wish priority restoration from the vendor providing the service. Information is also required to allow immediate installation of a new service to support NS/EP requirements. Information is required from vendors to allow the Emergency Communications Division (ECD) to track and identify the telecommunications services that are being provided priority treatment.

The forms used are the SF314 (Revalidation for Service Users), SF315 (TSP Request for Service Users), SF317 (TSP Action Appeal for Service Users), SF318 (TSP Service Confirmation for Service Vendors), and the SF319 (TSP Service Reconciliation for Service Vendors). All of the forms request information about the organization and the points of contact requesting a TSP code or submitting information to the TSP Program Office. The SF314 is for users to request that their existing TSP codes be revalidated for three more years. The SF315 is used to request restoration and/or provisioning for an organization’s critical circuits. The SF317 is for organizations to appeal the denial of TSP restoration and/or provisioning. The SF318 is for service vendors to provide circuit ID information associated with TSP codes they have been given by their customers. The SF319 is for service vendors to provide data to the program office in order to reconcile their TSP data with the TSP database.

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. Also describe any consideration of using information technology to reduce burden.

We encourage all participants to request TSP priorities via email in order to reduce the use of the paper forms. Emailing the information will significantly decrease the burden hours placed on the user and increase the efficiency of the TSP Program. The paper forms will also be available for download via the TSP home page.

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.

A search of reginfo.gov revealed that this information is not collected in any form, and therefore is not duplicated elsewhere.

We reviewed the requirements of the TSP Program extensively both before it was instituted and during the years of its use and believe that the information requested is the minimum necessary to manage the TSP Program. Additionally, all requirements will be periodically reviewed to ensure that they remain correct and that we have continued need for the data requested.

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

The organizations that complete this form are those that have circuits that support an NS/EP mission and require priority restoration for those circuits. The private sector organizations that request TSP are from the healthcare, financial, utilities, transportation, and telecommunications sectors, which are not considered to be small businesses or entities.

6. Describe the consequence to Federal/DHS program or policy activities if the collection of information is not conducted, or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

We have identified the minimum frequency necessary to ensure the viability of the program. Additionally, the former NCS actively worked with both the TSP System Oversight Committee and the former NCS Committee of Principals to reduce the amount of information required whenever possible. Any further reduction in the amount of information collected would provide the ECD with insufficient information with which to manage the TSP System. One of the major reasons the prior Restoration Priority System was replaced was that the records of that system were inadequate, and there was no review process to ensure that only those users with a continued need for priority service held a priority rating. Without this information collection, the ECD would not be able to manage the TSP System.

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

(a) Requiring respondents to report information to the agency more often than quarterly.

Information is required on particular occasions when an organization decides it wants TSP priority on its critical circuits. It is occasional/situational – the program office is not able to determine when this will occur. Those conditions may be more than quarterly in some years.

(b) Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.

There is no requirement to respond in a written manner once the forms have been submitted.

(c) Requiring respondents to submit more than an original and two copies of any document.

Respondents are only required to submit the original document; copies are not required.

(d) Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years.

Respondents are not required to keep any of the documentation.

(e) In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.

This collection does not employ statistical analysis.

(f) Requiring the use of a statistical data classification that has not been reviewed and approved by OMB.

This collection does not employ statistical analysis.

(g) That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.

There is no confidential information collected; however, the data is kept in a sensitive but unclassified environment.

(h) Requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

It is not necessary to submit any trade secrets or other types of confidential data.

#### 8. Federal Register Notice:

(a) Provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

	<b>Date of Publication</b>	<b>Volume #</b>	<b>Number #</b>	<b>Page #</b>	<b>Comments Addressed</b>
<i>60Day Federal Register Notice:</i>	Wednesday, October 17, 2018	83	201	52500	0
<i>30-Day Federal Register Notice:</i>	Friday, February 15, 2019	84	32	4517	0

(b) 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, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The ECD works with the TSP Oversight Committee to confirm that this collection of data is adequate and necessary.

(c) Describe consultations with representatives of those from whom information is to be obtained or those who must compile records. Consultation should occur at least once every three years, even if the collection of information activities is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

The ECD works with the TSP Oversight Committee to confirm that this collection of data is adequate and necessary.

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

No gifts or payments of any kind were provided to those associated with the program.

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

While there are no assurances of confidentiality provided to respondents, the TSP Program database is maintained at the “Sensitive Information” level. Following the DHS 4300 Policy and Handbook for Information Technology Systems Security, access to the database will be limited to U.S. Government employees and U.S. citizen contractor employees with a need to access the database to perform their work, applying principles of least privilege. Password and privacy techniques are used to limit access to the database and the data within the database.

The DHS Privacy Office review finds that this is a privacy sensitive collection requiring a Privacy Impact Assessment (PIA) and System of Records Notice (SORN). The collection is covered by PIA – DHS/ALL/PIA-006 DHS General Contacts List and SORN – DHS/ALL-002 DHS Mailing and Other Lists System, 73 FR 71659 (Nov. 25, 2008).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No information that is commonly considered sensitive is required in this collection.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- (a) Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desired. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- b. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.
- c. Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.

The Department estimates that annually there would be 304 respondents for form SF314 based on the number of organizations contacted annually, 37,505 respondents for form SF315 based on the number of requests received in 2017, 1 respondent for form SF317 due to the infrequent nature of appeals, and 428 respondents for both forms SF318 and SF319 based on the number of telecommunications vendors with which the Department works. The Department estimates that it would take a telecommunications specialist 0.75 hours (45 minutes) to complete SF314, 0.25 hours (15 minutes) to complete SF315, 0.42 hours (25 minutes) to complete SF317, 0.75 hours (45 minutes) to complete SF318, and 1 hour to complete SF319.

The Department expects that a telecommunication specialist would complete all of the forms. To estimate their labor cost, the Department used the average hourly wage for all occupations in the telecommunications industry from the Bureau of Labor Statistics (BLS).<sup>1</sup> To account for benefits, we multiply the average hourly wage of \$33.86 by a compensation factor of 1.4367<sup>2</sup> to get an average hourly compensation rate of \$48.65.<sup>3</sup>

To estimate the burden of this collection, the Department multiplied the number of annual respondents for each form by the average time to complete each form. We then multiplied this annual time burden by the average hourly compensation rate for a telecommunication specialist. As presented in Table A.12, the total estimated annual cost for this collection is expected to be \$503,681.

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<sup>1</sup> BLS. Occupational Employment Statistics. May 2017. OES data for NAICS 517000 – Telecommunications, All Occupations (00-0000). [https://www.bls.gov/oes/2017/may/naics3\\_517000.htm](https://www.bls.gov/oes/2017/may/naics3_517000.htm). BLS reports an average hourly wage of \$33.86.

<sup>2</sup> BLS. (2018). Employer Costs for Employee Compensation – December 2017. Table 5. Employer Costs per Hour Worked for Employee Compensation and Costs as a Percent of Total Compensation: Private Industry Workers, by Major Occupational Group and Bargaining Unit Status, December 2017. [https://www.bls.gov/news.release/archives/eccec\\_03202018.pdf](https://www.bls.gov/news.release/archives/eccec_03202018.pdf). The compensation factor of 1.4367 is calculated by dividing the total compensation for all private industry workers (\$33.72) by the wages and salaries for all private industry workers (\$23.47).

<sup>3</sup> \$48.65 = \$33.86 × 1.4367.

Table A.12: Estimated Annualized Burden Hours and Costs

Form Name	No. of Respondents	No. of Responses per Respondent	Average Burden per Response (in hours)	Total Annual Burden (in hours)	Average Hourly Compensation Rate	Total Annual Respondent Cost
SF314	304	1	0.75	228	\$48.65	\$11,092
SF315	37,505	1	0.25	9,376	\$48.65	\$456,132
SF317	1	1	0.42	0.42	\$48.65	\$20
SF318	428	1	0.75	321	\$48.65	\$15,616
SF319	428	1	1	428	\$48.65	\$20,821
<b>Total</b>	<b>38,666</b>			<b>10,354</b>	<b>\$48.65</b>	<b>\$503,681</b>

Note: Totals may not add due to rounding.

13. Provide an estimate of the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14.)

The cost estimate should be split into two components: (1) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.

If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection as appropriate.

Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information to keep records for the government, or (4) as part of customary and usual business or private practices.

There is no additional cost to the respondents due to this collection of information.

14. Provide estimates of annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing and support staff), and any other expense that would have been incurred without this collection of information. You may also aggregate cost estimates for Items 12, 13, and 14 in a single table.

The Department expects a mid-level manager and his or her staff or contractors to manage the data collection process. It is expected that the minimum requirement for Federal Government support would be three full time employees (FTE), or the equivalent. There are also maintenance costs associated with the database used to hold the information collected.

Based on the Office of Personnel Management (OPM) 2017 Federal Government General Schedule Salary Table for the DC area, the annual salary of a GS-12, Step 1 employee is \$79,720 and a GS-13, Step 1 employee is \$94,796.<sup>4</sup> To account for benefits, the Department multiplies this annual salary by a compensation factor of 1.6919<sup>5</sup>, which is the ratio of total compensation to wages for federal employees. Therefore, the estimated annual compensation for a GS-12, Step 1 employee is \$134,879<sup>6</sup> and the estimated annual compensation for a GS-13, Step 1 employees is \$160,386<sup>7</sup>. In addition, the annual compensation for an Emergency Communications Specialist under the ECD Scientific, Engineering, and Technical Assistance Contract is \$65,000. Thus, the total annual labor cost for these three FTEs is \$367,036.<sup>8</sup>

The estimated average maintenance cost for the database is \$10,000 per year. Therefore, the all-inclusive total annualized cost to the Federal Government (the sum of the labor and maintenance costs) is \$377,036.<sup>9</sup>

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I. Changes in hour burden, i.e., program changes or adjustments made to annual reporting and recordkeeping **hour** and **cost** burden. A program change is the result of deliberate Federal government action. All new collections and any subsequent revisions of existing collections (e.g., the addition or deletion of questions) are recorded as program changes. An adjustment is a change that is not the result of a deliberate Federal government action. These changes that result from new estimates or actions not controllable by the Federal government are recorded as adjustments.

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<sup>4</sup> OPM. Pay & Leave: Salaries & Wages. Salary Table 2017-DCB. Incorporating the 1% General Schedule Increase and Locality Payment of 27.10% for the Locality Pay Area of Washington-Baltimore-Arlington, DC-MD-VA-WV-PA. Effective January 2017. <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2017/DCB.pdf>.

<sup>5</sup> Congressional Budget Office (CBO). Comparing the Compensation of Federal and Private-Sector Employees, 2011 to 2015. April 2017. <https://www.cbo.gov/publication/52637>. CBO reports that for federal workers (for all levels of education), the average hourly total compensation rate was \$64.80 and the average hourly wage rate was \$38.30 between 2011 and 2015. To estimate the compensation factor of 1.6919, the Department divides the average hourly total compensation rate (\$64.80) by the average hourly wage rate (\$38.30).

<sup>6</sup> \$134,879 = \$79,720 × 1.6919.

<sup>7</sup> \$160,386 = \$94,796 × 1.6919.

<sup>8</sup> \$367,036 = \$134,879 for one GS-12, Step 1 employee + \$160,386 for one GS-13, Step 1 employee + \$65,000 for one Emergency Communications Specialist.

<sup>9</sup> \$377,036 = \$367,036 in annual labor costs + \$10,000 in annual maintenance costs.



There have been no changes to the information being collected. The burden for the SF315 (TSP Request for Service Users) Form has increased due to better estimates, and the annual cost burden to respondents and annual government cost has increased due to increased wage rates and compensation factors.

The estimated number of respondents for the SF315 Form has increased from 27,000 to 37,505. This update results in an annual increase in the burden estimates by 10,505 responses and 2,626 burden hours.

There has been an increase in the estimated annual cost burden to respondents (question 12) from \$243,259 to \$503,681 due to the increases in the number of respondents for form SF315 and an increase in the average hourly compensation rates during the past 3 years. There has been a decrease in the estimated annual government costs (question 14) from \$391,124 to \$370,265 due to the change in the labor mix during the past 3 years.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The TSP collection of information will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain reasons that display would be inappropriate.

ECD will display the expiration date for OMB approval of this information collection.

18. Explain each exception to the certification statement identified in Item 19 “Certification for Paperwork Reduction Act Submissions,” of OMB Form 83-I.

ECD does not request an exception to the certification of this information collection.