

SUPPORTING STATEMENT

A. Justification:

The Commission is seeking an extension from the Office of Management and Budget (OMB) approval for this existing information collection for a three-year time period.

History:

1. On April 29, 2003, the FCC's Office of Engineering and Technology adopted a *Report and Order in Amendment of Parts 2 and 97 of the Commission's Rules to Create a Low Frequency Allocation for the Amateur Radio Service*, in ET Docket No. 02-98, FCC 03-105. The *Report and Order* was released May 13, 2003, which established a recordkeeping procedure in section 97.303(s) that required that amateur operator licensees using other antennas must maintain in their station records either manufacturer data on the antenna gain or calculations of the antenna gain.

Subsequently, on March 11, 2010, the Commission adopted an Order, Amendment of the Amateur Service Rules to Facilitate Use of Spread Spectrum Communications Technologies, WT Docket No. 10-62, FCC 10-38, which moved the transmitter power limit information that applies to stations transmitting a spread spectrum emission from 47 CFR 97.303(s) to 47 CFR 97.313(i), Transmitter Power Standard.

The amateur radio service, governed by 47 CFR Part 97 of the Commission's rules, provides spectrum for amateur radio service licensees to participate in a voluntary noncommercial communication service which provides emergency communications and allows experimentation with various radio techniques and technologies to further the understanding of radio use and the development of new technologies. The *Report and Order* provides access to 5 channels in or near the 5250-5400 kHz on a secondary basis for the amateur service, and upgrades the existing secondary amateur service allocation to primary status in the 2400-2402 MHz band. These changes to the rules have enhanced the ability of amateur operators to communicate at 5000 kHz when propagation conditions do not permit communication at 3500 or 7000 kHz, and provide additional protection for the amateur operators now using the 2400-2402 MHz band.

This collection is authorized under §§ 1, 4, 301, 302a, and 303(c) and (f), of the Communications Act of 1934, as amended; 47 U.S.C. Sections 151, 154, 301, 302(a) and 303(c) and (f).

This information collection does affect individuals because it requires certain amateur radio operators to maintain information in their amateur station records. Therefore, there are no Privacy Act impacts because the information collected remains with the individual and it not retained at the Commission.

2. The information collection is used to calculate the effective radiated power (ERP) that the station is transmitting to ensure the ERP does not exceed 100 W PEP.

3. Amateur operators are not required to file any information with the Commission. Amateur operators are required to retain the records, and they may use any available media, including electronic media, for storage of manufacturer data or compliance information. The FCC has no requirement on how the information collections are conducted.
4. No similar information is available.
5. The Commission has made an effort to minimize the burden on all respondents (amateur operators). This collection of information is only required if the amateur licensees transmit with an effective radiated power (ERP) exceeding 50 W PEP on the 60 m band. For the purpose of computing ERP the transmitter PEP will be multiplied by the antenna gain relative to a dipole or the equivalent calculation in decibels. A half-wave dipole antenna will be presumed to have a gain of 1. Licensees using other antennas must maintain in their station records either the manufacturer data on the antenna gain or calculations of the antenna gain. In the event of interference, potential causes can be identified from the record of amateur operators.
6. Failure of parties to maintain records could hinder interference resolution between the amateur licensees and Federal Government, mobile, and fixed services. The collection of information is necessary to ensure that the amateur licensees comply with the Commission's rules.
7. The frequency of the filings will be determined by the amateur licensees, and will be done on an as-needed basis, consistent with the guidelines in 5 CFR Section 1320.5.
8. The Commission published a 60-day notice in the *Federal Register* on August 23, 2021 (86 FR 47106) seeking comments on the information collection requirements contained in this collection. The Commission did not receive any PRA comments following publication of the notice.
9. There will be no payment or gift to respondents associated with this collection.
10. There is no need for confidentiality with this collection.
11. This collection does not address any private matters of a sensitive nature.
12. Based on informal evidence of the amount of interest in the bands, we estimate, that between 1,000 and 5,000 persons (the Commission will estimate on the higher side to make sure that all possible respondents are accounted for with this collection) will use the frequencies. Because antenna gain information is readily available in manufacturer materials and popular amateur radio reference guides, it will take each respondent twenty minutes (approximately 0.33 hours) to locate and document this information. This information will only need to be documented once:

Total Number of Respondents: 5,000.

Total Annual Responses: 5,000 records kept.

Total Annual Hourly Burden: 5,000 records kept x 0.33 hours (recordkeeping) = **1,650 hours.**

Record keepers can be expected to integrate this information into the logs and other station records that they routinely keep as part of the activity of amateur radio operations. Therefore, the cost will be negligible. We estimate that the total recordkeeping cost to maintain these station records at \$0.02 annually:

Total Annual “In-House” Costs: 5,000 record x \$0.02/annually/recordkeeping = **\$100.00**

13. (a) Total annualized capital/start-up costs: None.

(b) Total annual costs (O&M): None.

(c) Total annualized cost requested: None.

14. The Federal Government will not maintain this information. The Federal Government can be expected to review the recordkeeping only during the course of specific enforcement investigations. In an instance where interference problems may arise, the affected party may contact the Wireless Telecommunications Bureau or the Enforcement Bureau by letter or email to request that the Commission take the appropriate action to resolve the situation. There are no formal procedures established for the Commission’s response.

15. There are no program changes or adjustments to this collection.

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

17. The expiration date for OMB approval will not be displayed because this information collection is a recordkeeping requirement. However, the Commission publishes in 47 CFR 0.408 a list of all OMB-approved information collections which includes their OMB Control Numbers, Titles and OMB Expiration Dates.

18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

This collection of information does not employ statistical methods.