

**Preparation of Annual Reports to Congress for the Collection &
Use of Fees for 988 Services by States & Other Jurisdictions
Under the National Suicide Hotline Designation Act of 2020**

**3060-xxxx
February 2022**

SUPPORTING STATEMENT

A. Justification:

**1. Explain the circumstances that make the collection of information necessary.
Identify any legal or administrative requirements that necessitate the collection.**

This information collection enables the Federal Communications Commission (Commission) to fulfill its continuing obligations under the National Suicide Hotline Designation Act of 2020, Pub. L. No. 116-172, 134 Stat. 832 (2020) (988 Act), to submit an annual “Fee Accountability Report” to the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, and the Committees on Energy and Commerce and Appropriations of the House of Representatives, detailing “the status in each State, political subdivision of a State, Indian Tribe, or village or regional corporation serving” an Alaska Native Claims Settlement Act region, of the collection and distribution of fees or charges for “the support or implementation of 9-8-8 services,” including “findings on the amount of revenues obligated or expended by each [state, political entity, and subdivision] for any purpose other than the purpose for which any such fees or charges are specified.” (988 Act, 134 Stat. at 833-34.)

This information collection does not affect individuals or households; thus, there are no impacts under the Privacy Act.

Statutory authority for this information collection is contained in National Suicide Hotline Designation Act of 2020, Pub. L. No. 116-172, 134 Stat. 832 (2020) (988 Act).

2. Indicate how, by whom, and for what purpose the information is to be used.

The Commission will collect information for the preparation of the annual Fee Accountability Report through an emailed survey that appropriate officials of States and political subdivisions thereof, Indian Tribes, and village or regional corporations serving a region established pursuant to the Alaska Native Claims Settlement Act, as amended (43 U.S.C. §§ 1601 *et seq.*) can use to submit data pertaining to the collection and distribution of revenues from fees and charges for the support or implementation of 988 services, including the use of such collected fees and charges for any purpose other than for the support or implementation of 988 services. In addition, consistent with the definition of “State” set forth in 47 U.S.C. § 153(40) of the Communications Act, the Commission will collect this information from states as well as the District of Columbia and the inhabited U.S. Territories and possessions.

Specifically, the Commission proposes to ask the following questions:

A. Filing Information

1. Name of Filing Entity

State (Or Political Subdivision Thereof), Indian Tribe, Village, Regional Corporation
--

or Other Jurisdiction

2. Name, Title and Organization of Individual Filing Report

Name	Title	Organization

B. Description of Authority Enabling Establishment of 988 Funding Mechanisms

1. Has your state, or any political subdivision, Indian Tribe, village or regional corporation therein as defined by Section 4(a)(1) of the National Suicide Hotline Designation Act of 2020, established a funding mechanism designated for or imposed for the purposes of 988 support or implementation (please include a citation to the legal authority for such mechanism)? *Check one.*

- Yes ☐
- No ☐

If NO, end survey.

1a. If YES, provide a citation to the legal authority for such a mechanism.

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1b. If YES, during the annual period January 1, 2021 to December 31, 2021, did your state (or political subdivision), Indian Tribe, village, or regional corporation amend, enlarge, or in any way alter the funding mechanism.

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2. Which of the following best describes the type of authority arrangement for the collection of 988 fees? *Check one.*

- The state (or political subdivision), Indian Tribe, village, or regional corporation collects the fees ☐
- A local authority collects the fees ☐
- A hybrid approach where two or more governing bodies

(e.g., state/political subdivision/Indian Tribe/village/regional corporation and local authority) collect the fees ☐

3. Describe how the funds collected are made available to localities or political subdivisions.

C. Description of State (Or Political Subdivision), Indian Tribe, Village, Regional Corporation or Other Jurisdictional Authority That Determines How 988 Fees Are Spent

1. Indicate which entities in your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority have the authority to approve the expenditure of funds collected for 988 purposes.		
Jurisdiction	Authority to Approve Expenditure of Funds (Check one)	
	Yes	No
State, Indian Tribe, Village, or Regional Corporation	<input type="checkbox"/>	<input type="checkbox"/>
Local (e.g., political subdivision, county, city, municipality)	<input type="checkbox"/>	<input type="checkbox"/>
1b. Please briefly describe any limitations on the approval authority per jurisdiction (e.g., limited to fees collected by the entity, limited to wireline or wireless service, etc.).		
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2. Has your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority established a funding mechanism that mandates how collected funds can be used? Check one.

- ☒ Yes ☐
- ☐ No ☐

2a. If you checked YES, provide a legal citation to the funding mechanism of any such

criteria.

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2b. If you checked NO, describe how your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority decides how collected funds can be used.

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D. Description of Uses of Collected 988 Fees

- 1. Provide a statement identifying with specificity all activities, programs, and organizations for whose benefit your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority has obligated or expended funds collected for 988 purposes and how these activities, programs, and organizations support 988 services or enhancements of such services.**

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2. Please identify the allowed uses of the collected funds. <i>Check all that apply.</i>			
Type of Cost		Yes	No
Operating Costs	Lease, purchase, maintenance of customer premises equipment (CPE) (hardware and software)	<input type="checkbox"/>	<input type="checkbox"/>
	Lease, purchase, maintenance of building/facility	<input type="checkbox"/>	<input type="checkbox"/>
Personnel Costs	Crisis counselors' salaries	<input type="checkbox"/>	<input type="checkbox"/>
	Training of crisis counselors	<input type="checkbox"/>	<input type="checkbox"/>
Administrative Costs	Program administration	<input type="checkbox"/>	<input type="checkbox"/>
	Travel expenses	<input type="checkbox"/>	<input type="checkbox"/>
	Administrative personnel	<input type="checkbox"/>	<input type="checkbox"/>

Mobile Dispatch Costs	Costs related to dispatch (<i>e.g.</i> , equipment) of mobile crisis teams	<input type="checkbox"/>	<input type="checkbox"/>
Grant Programs	Grants paid for through the use of collected 988 fees	<input type="checkbox"/> If YES, see 2a.	<input type="checkbox"/>
Other	Other allowed uses for collected 988 fees	<input type="checkbox"/> If YES, see 2b.	<input type="checkbox"/>
2a. During the annual period ending December 31, 2021, describe the grants that your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority paid for through the use of collected 988 fees and the purpose of the grant.			
2b. During the annual period ending December 31, 2021, describe any other costs that your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority allows for use of collected 988 fees.			

E. Description of 988 Fees Collected

1. Please describe the amount of the fees or charges imposed for the implementation and support of 988 services. Please distinguish between state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority for each service type.		
Service Type	Fee/Charge Imposed	Jurisdiction Receiving Remittance (<i>e.g.</i>, state, county, local authority, Indian Tribe, village or regional corporation or a combination)
Wireline		
Wireless		

Prepaid Wireless		
Voice Over Internet Protocol (VoIP)		
Other		

2. For the annual period ending December 31, 2021, please report the total amount collected pursuant to the assessed fees or charges described in Question E 1.

Service Type	Total Amount Collected (\$)
Wireline	
Wireless	
Prepaid Wireless	
Voice Over Internet Protocol (VoIP)	
Other - Interest	
Total	

2a. If an amount cannot be provided, please explain why.

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3. Please identify any other sources of 988 funding.

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Question	Yes	No
4. For the annual period ending December 31, 2021,	<input type="checkbox"/>	<input type="checkbox"/>

<p>were any 988 fees that were collected by your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority combined with any federal, state, local, Tribal, village or regional corporation funds, grants, special collections, or general budget appropriations that were designated to support 988 services? <i>Check one.</i></p>		
<p>4a. If YES, please describe the funds and amounts that were combined with 988 fees.</p>		

5. Please provide an estimate of the proportional contribution from each funding source towards the total cost to support 988 in your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdiction.	Percent
State/Indian Tribe/Village/Regional Corporation 988 Fees	%
Local/Political Subdivision 988 Fees	%
General Fund – State/Indian Tribe/Village/Regional Corporation	%
General Fund – County/Political Subdivision	%
Federal Grants	%
State/Indian Tribe/Village/Regional Corporation Grants	%

F. Description of Diversion or Transfer of 988 Fees for Other Uses

Question	Yes	No
<p>1. In the annual period ending December 31, 2021, were funds collected for 988 purposes in your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority made available or used solely for the purposes designated by the funding mechanism? <i>Check one.</i></p>	<input type="checkbox"/>	<input type="checkbox"/>

1a. If NO, please identify what amount of funds collected for 988 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 988 implementation or support, including any funds transferred, loaned, or otherwise used for the state's general fund. Along with identifying the amount, please include a statement identifying the non-related purposes for which the collected 988 funds were made available or used.

Amount of Funds (\$)	Identify the non-related purpose(s) for which the 988 funds were used. <i>(Add lines as necessary)</i>

G. Oversight and Auditing of Collection and Use of 988 Fees

Question	Yes	No
1. Has your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority established any oversight or auditing mechanisms or procedures to determine whether collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 988? <i>Check one.</i>	<input type="checkbox"/>	<input type="checkbox"/>
1a. If YES, provide a description of the mechanisms or procedures and any enforcement or other corrective actions undertaken in connection with such auditing authority, for the annual period ending December 31, 2021. <i>(Enter "None" if no actions were taken.)</i>		

Question	Yes	No
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2. Does your state (or political subdivision), Indian Tribe, village, regional corporation or other jurisdictional authority have the authority to audit service providers to ensure that the amount of 988 fees collected from subscribers matches the service provider's number of subscribers? Check one.	<input type="checkbox"/>	<input type="checkbox"/>
2a. If YES, provide a description of any auditing or enforcement or other corrective actions undertaken in connection with such auditing authority, for the annual period ending December 31, 2021. (Enter "None" if no actions were taken.)		

- 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 form of information technology e.g., permitting electronic submission of responses, and the bases for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.**

The Commission's Wireline Competition Bureau (Bureau) will collect the information for these reports through a physical survey sent via email to political entities and subdivisions (*e.g.*, States, Territories, and Indian Tribes). Respondents that are subject to state regulations requiring the reporting of similar information may meet the requirements of the 988 Act by submitting the state report, provided that the state report includes the information that will enable the Commission to fulfill its statutory obligation to annually prepare a Fee Accountability Report detailing "the status in each State, political subdivision . . . , Indian Tribe, or village or regional corporation serving" an Alaska Native Claims Settlement Act region, of the collection and distribution of fees or charges for "the support or implementation of 9-8-8 services," including "findings on the amount of revenues obligated or expended by each [such state, subdivision, political/regional entity, or Tribe,] for any purpose other than the purpose for which any such fees or charges are specified." (988 Act, 134 Stat. at 833-34.)

- 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.**

As noted in the response to number three above, if there are respondents that are subject to state regulations requiring the reporting of similar information, the submission to the Commission of such a report may meet the Commission's needs for fulfilling its 988 Act obligation to prepare an annual Fee Accountability Report for Congress. This is contingent on such a state report containing the relevant information necessary for the Commission to prepare a report detailing "the status in each State, political subdivision . . . , Indian Tribe, or village or regional corporation serving" an Alaska Native Claims Settlement Act region, of the collection and distribution of fees or charges for "the support or implementation of 9-8-8 services," including "findings on the amount of revenues obligated or expended by each [such state, subdivision, political/regional entity, or

Tribe,] for any purpose other than the purpose for which any such fees or charges are specified.” (988 Act, 134 Stat. at 833-34.)

This information collection is not otherwise available elsewhere. This is a unique information collection that does not duplicate existing data. This information collection was created specifically to meet the requirements of the Fee Accountability Report provision of the 988 Act, and must be submitted by the Commission to Congress annually.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

No small businesses or other small entities are burdened by the information collection sought by the Commission in order to fulfill its statutory obligation to produce for Congress an annual Fee Accountability Report. The proposed information collection does not seek information from small businesses. To the extent that there are government entities of small government jurisdictions that are the relevant source for the information the Commission seeks, it is likely that the information is already gathered by the entity as part of its normal course of conducting its administrative affairs. It is reasonable to expect that it is “usual and customary” that data regarding the collection and expenditure of revenues by government entities of any size is maintained by that government entity. In accordance with section 1320.3(b)(1)(ix)(2), the provision of the data sought by the Commission for this information collection does not constitute a “burden” on such entities (5 CFR § 1320.3(b)(1)(ix)(2)).

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

Failure to collect the relevant information necessary for the Commission to prepare annually a report detailing “the status in each State, political subdivision . . . , Indian Tribe, or village or regional corporation serving” an Alaska Native Claims Settlement Act region, of the collection and distribution of fees or charges for “the support or implementation of 9-8-8 services,” and including “findings on the amount of revenues obligated or expended by each [such state, subdivision, political/regional entity, or Tribe,] for any purpose other than the purpose for which any such fees or charges are specified” will prevent the Commission from discharging its statutory obligation to submit an annual Fee Accountability Report to Congress that provides this information. (988 Act, 134 Stat. at 833-34.) The information sought by the Commission is essential to its compliance with the Fee Accountability Report obligation of the 988 Act.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the guidelines in 5 CFR § 1320.5(d)(2).

Consistent with section 1320.5(d)(2) of OMB’s PRA regulations requiring that the “collection of information is necessary to satisfy statutory requirements” (5 CFR § 1320.5(d)(2)), this information collection is tailored strictly for the purpose of compliance with the Commission’s statutory obligation under the 988 Act that it produce an annual Fee Accountability Report to Congress. (988 Act, 134 Stat. at 833-34.) There are no special circumstances that would cause this information collection to be conducted in a manner

inconsistent with the guidelines in 5 CFR § 1320.5(d)(2).

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR § 1320.8(d), soliciting comments on the information 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.**

Pursuant to the Paperwork Reduction Act of 1995 (PRA), the Commission issued a 60-day Federal Register notice on November 26, 2021 (86 FR 67466) seeking comments on the burden of complying with the information. No comments were received in response to the notice.

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

No payment or gift to respondents has been or will be made.

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

There were no assurances of confidentiality provided to respondents. The Commission's rules address the issue of confidentiality at sections 0.457, 0.459, and 0.461 (47 CFR §§ 0.457, 0.459, and 0.461). These rules address access to records that are not routinely available to the public, requests and requirements that materials submitted to the Commission be withheld from public inspection, and requests for inspection of materials not routinely available for public inspection.

- 11. Provide additional justification for any questions of a sensitive nature.**

The reporting requirement does not entail questions of a sensitive nature that are commonly considered private, beyond the national security and commercial basis for confidentiality that are covered by the response at 10, above.

- 12. Provide estimates of the hour burden of the collection of information. The statement should: indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. 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.**

We estimate that **630** respondents will file reports.¹ The frequency of response will be annual. The average burden will be **55 hours** per response. Thus, we estimate that the respondents will take a total of **34,650 burden** hours to review and complete their reports in response to their obligations under the 988 Act. This estimate is based on Commission staff's knowledge and familiarity with the availability and accessibility of the data required to fulfill the information

¹ This figure includes the 50 states, 6 U.S. Territories, and 574 federally-recognized Native American Tribes.

collection.

Total number of Respondents and Responses: 630

Total Annual Burden Hours: 630 responses x 55 hours = 34,650 hours

We assume that each respondent will have one accountant and one attorney participate in the information collection, and assume that the salaries are equivalent to GS-13, step 10 and GS-15, step 5, respectively. Thus, we estimate that the total “in-house” cost to all respondents will be:

Specialist at \$66.54/hour	$\$66.54 \times 34,650 \text{ hours} = \$2,305,611$
Attorney at \$80.63/hour	$\$80.63 \times 34,650 \text{ hours} = \$2,793,829.50$

Summary of Total In-House Costs: \$2,305,611 + \$2,793,829.50 = \$5,099,440.50

- 13. Provide an estimate for 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 Commission believes that this information collection will not impose any cost burden on respondents from either capital or start-up costs, or from operation and maintenance of equipment, or from purchase of outside services.

- 14. Provide estimates of annualized costs 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 expenses that would not have been incurred without this collection of information.**

We estimate that the total annual cost to the Federal Government, based on the salaries of one attorney (GS-15, step 5) and one public utility specialist (GS-13, step 5), with each staff person spending approximately $\frac{1}{4}$ (520 hours) of their work time on the information collected:

Specialist GS-13, step 5, at \$58.01/hr	$\$58.01 \times 520 = \$30,165.20$
Attorney GS-15, step 5, at \$80.63/hr	$\$80.63 \times 520 = \$41,927.60$

$\$30,165.20 + \$41,927.60 + \$21,627.84 \text{ (30\% overhead)} = \$ 93,720.64$

Total Cost to the Federal Government = \$ 93,720.64

- 15. Explain the reasons for any program changes or adjustments reported.**

This is a new information collection resulting in a program change. The Commission is reporting increases to the total annual respondents and total annual response of 630, and to the total annual burden hours of 34,650, as explained at twelve, above.

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

Pursuant to the 988 Act, the Commission is required to report the results of the collection to Congress on **October 17, 2022**, and once annually thereafter.

- 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 Commission does not intend to seek approval to not display the expiration date of the information collection from OMB.

- 18. Explain any exceptions to the statement certifying compliance with 5 CFR § 1320.9 and the related provisions of 5 CFR § 1320.8(b)(3).**

There are no exceptions to the certification statement.

B. Collections of Information Employing Statistical Methods:

This information collection does not employ any statistical methods.