

This submission is being made for extending the information collection requirements related to student applications for the provision of volunteer service to the FCC, as explained further below.

SUPPORTING STATEMENT

This information collection is seeking to extend the collection requirements from the Office of Management and Budget (OMB) for the three-year clearance to collect information from students as part of their application to provide volunteer service. We previously obtained OMB clearance through the emergency process in order to comply with Executive Order 14043.

A. Justification:

1. *Circumstances that make the collection necessary.*

The Civil Service Reform Act of 1978 authorized Federal agencies to establish programs designed to provide educationally related work assignments for students in a non-pay status. The Act provides that heads of agencies may accept, subject to regulations issued by the Office of Personnel Management, volunteer service for the United States if the service (1) is performed by a student, with permission of the institution at which the student is enrolled; (2) is to be uncompensated; and (3) will not displace any employee. Form A-384 establishes the responsibility of students, their institutions, and the FCC as a precondition to accepting individuals as unpaid volunteers.

One such precondition now included on Form A-384, for which the FCC previously received Emergency approval, is the requirement that students comply with regulations and policies pertaining to COVID-19 vaccination requirements for Federal workers. On September 9, 2021, President Biden issued Executive Order 14043 to protect the health and safety of the Federal workforce and to promote the efficiency of the civil service. Pursuant to the Executive Order and implementing guidance, the Federal Communications Commission (FCC) informed its workforce that, other than in limited circumstances where a reasonable accommodation is legally required, all employees needed to be fully vaccinated against COVID-19 by November 22, 2021, regardless of where they are working. To ensure compliance with this mandate, the FCC established a requirement for employees to complete and submit a form attesting to their current vaccination status. Since then, the Executive Order was enjoined by a nationwide injunction, which has recently been overturned although this latter decision may still be appealed. Regardless of the status of the Executive Order, the FCC has developed and implemented health and safety protocols to ensure and maintain the safety of all occupants during standard operations and public health emergencies or similar health and safety incidents, such as the current pandemic, and will continue to request that workers report on their vaccination status. As relevant here, this includes requiring unpaid employees to report on their vaccination status in a manner similar to paid employees.

This information does affect individuals.

The Privacy Act Statement for this collection is the following:

Privacy Act Statement

Authority: The authority to collect this information derives from 5 U.S.C. 3111, Acceptance of volunteer service. Certification of compliance with COVID-19 vaccine requirements for Federal

workers derives from several sources, including most recently Executive Order 13991, Protecting the Federal Workforce and Requiring Mask-Wearing; Executive Order 14043, Requiring Coronavirus Disease 2019 Vaccination for Federal Employees; and OMB Memorandum M 21–15, COVID–19 Safe Federal Workplace: Agency Model Safety Principles (Jan. 24, 2021), as amended.

Purpose and Routine Uses: The information collected on this form is to allow the FCC to determine an individual’s eligibility to participate in a volunteer service program administered by the agency. FCC may release information contained in this system to other individuals and entities when necessary and appropriate under 5 U.S.C. § 552a(b) of the Privacy Act, which may include but is not limited to the routine uses identified in FCC/OMD-16 (Personnel Security Files); FCC/OMD-24 (Physical Access Control System); FCC/OMD-32 (FCC Telework Program); and FCC/OMD-33 (Ensuring Workplace Health and Safety in Response to a Public Health Emergency), all posted at <https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information#systems>. Failure to provide the information requested on this form will result in an individual being deemed ineligible for volunteer service at the FCC.

2. *Use of information.* The information contained in the form allows the FCC to receive, evaluate, and process requests to provide volunteer service to the agency.
3. *Use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.* We anticipate that respondents will submit information through e-mail using a fillable PDF form.
4. *Efforts to identify duplication.* There will be no duplication of information. The information sought is unique to each employee. The Commission does not otherwise collect this information, and it is not available from other sources.
5. *Impact on small entities.* The respondents are individuals who wish to perform work for the FCC as volunteers, there will be no impact on small entities.
6. *Consequences if information not collected.* Failing to collect the information, or collecting it less frequently, would negatively impact the health and safety of the FCC workforce, and prevent the Commission from complying with Executive Order 14043 in and when the current injunction is lifted. It will also complicate the effort to evaluate and process requests by individuals to work for the agency on a volunteer basis.
7. *Special circumstances.* There are no special circumstances associated with this information collection.
8. *Federal Register notice; efforts to consult with persons outside the Commission.* The Commission published a 60-day notice in the Federal Register soliciting comments from the public on March 11, 2022 (87 FR 14010). No comments were received from the public as a result of this notice.
9. *Payments or gifts to respondents.* There will be no payments or gifts to respondents.
10. *Assurances of confidentiality.* Due to the personal and sensitive nature of the information to be collected, there is an assurance of confidentiality provided to respondents concerning this information collection.

11. *Questions of a sensitive nature.* Identifying information for student volunteers.
12. *Estimates of the hour burden of the collection to respondents.* The following represents the hour burden of the collection of information for whom this notice applies.
 - a. Number of estimated annual respondents: 140.
 - b. Total number of annual responses: 140.
 - c. Frequency of response: One-time reporting requirement.
 - d. Total estimated annual burden: 0.25 hours per respondent for 25 respondents filing once. Total estimated annual hours burden is calculated as follows:

140 estimated responses x 0.25 hours per response = 35 total estimated burden hours.
 - e. Total estimate of annual in-house cost to respondents for the hours burden: \$1,425._
 - f. Explanation of calculation: Although respondents will be unpaid volunteers and mostly (if not entirely) students, we value their time at an average rate equivalent to the hourly rate of a GS-11, Step 5 government staff member in the Washington, DC metro area (*i.e.*, the rate paid to a recent law school graduate) (\$40.70/hour). Therefore, the maximum anticipated in-house cost is as follows:

140 estimated responses x 0.25 hours per response x \$40.70/hour = \$1,425.
13. *Estimates for cost burden of the collection to respondents.* There are no external costs to respondents related to this information collection.
14. *Estimate of the cost burden to the Commission.* There will be few, if any, costs to the Commission because reviewing the completed forms will be quick and is encompassed by regular Commission duties performed by human resources personnel.
15. *Program changes or adjustments.* Based on the most currently available data, the Commission has re-evaluated its previous figures, resulting in adjustments/increases to the total number of respondents and total annual responses by 115 and the total annual burden hours by 29 hours.

There are no program changes.
16. *Collections of information whose results will be published.* The collected information will not be published for statistical use.
17. *Display the expiration date for OMB approval of the information collection.* The Commission seeks approval to not display the expiration date for OMB approval on this information collection. The Commission publishes a list of all OMB-approved information collections in 47 CFR § 0.408 of the Commission's rules.
18. *Explain any exceptions to the statement certifying compliance with 5 C.F.R. § 1320.9 and the related provisions of 5 C.F.R. § 1320.8(b)(3).* There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

The Commission does not anticipate that the collection of information will employ statistical methods.