

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.

Section 90.20(a)(2)(v) provides that persons claiming eligibility in the Special Emergency Radio Service on the basis of being physically handicapped must present a physician's statement indicating that they are handicapped. Submission of this information is necessary to ensure that frequencies reserved for licensing to handicapped individuals are not licensed to non-handicapped persons.

Section 90.20(a)(2)(xi) is necessary to determine if communications common carrier applicants requesting frequencies for use as standby facilities for communications related to safety of life and public property is necessary for such purposes. Specifically, Section 90.20(a)(2)(xi) states: "A communications common carrier operating communications circuits that normally carry essential communication of such a nature that their disruption would endanger life or public property is eligible to hold authorizations for standby radio facilities for the transmission of messages only during periods when the normal circuits are inoperative due to circumstances beyond the control of the user. During such periods the radio facilities may be used to transmit any communication which would be carried by the regular circuit. Initial applications for authorization to operate a standby radio facility must include a statement describing radio communication facilities desired, the proposed method of operation, a description of the messages normally being carried, and an explanation of how their disruption will endanger life or public property."

The Commission is seeking an extension of a currently approved information collection from the Office of Management Budget (OMB) in order to obtain the full three-year approval. Also, the Commission is changing the title of this information collection from Section 90.20(a)(2)(v) and 90.20(a)(2)(xi), Special Eligibility Showings for Authorizations in the Public Safety Pool to Special Eligibility Showings for Authorizations in the Public Safety Pool (47 CFR 90.20(a)(2)(v) and 90.20(a)(2)(xi)).

This information collection affects individuals. The personally identifiable information that it collects is covered under FCC/WTB-1, Wireless Services Licensing Records. See 71 FR 17234, 17269.

Statutory authority for both collections of information is contained in Sections 4(i), 11, 303(g), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 161, 303(g), 303(r), 332(c)(7).

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

With regard to section 90.20(a)(2)(v), Commission personnel use the data to determine the eligibility of applicants to hold a radio station authorization for specific frequencies. If the information is not collected, the Commission has no way to determine eligibility. With regard to section 90.20(1)(2)(xi), Commission personnel use the information to ensure the requested private land mobile facilities are necessary for the safety of life or protection of public property.

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.

Prior to finalizing rule makings the Public Safety and Homeland Security Bureau conducted an analysis to insure that improved information technology cannot be used to reduce the burden on the public. This analysis considered the possibility of obtaining and/or computer-generating the required data from existing data bases in the Commission or other federal agencies.

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.

For both rules, this agency does not impose a similar information collection on the respondents. No other federal agency collects this data. There are no similar data available.

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

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. The Commission has limited the information requirements to those absolutely necessary for evaluating and processing each application and to deter against possible abuses of the processes.

6. Describe the consequences to a Federal program or policy activity, if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reduce burden.

This information is collected only once, upon the initial application for a license. Accordingly, there is no way to conduct the collection less frequently and still obtain the information.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with the criteria listed in supporting statement.

There are no special circumstances that would cause this information collection to be conducted in a manner inconsistent with the guidelines in 5 C.F.R. § 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. 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.**

On March 8, 2023 (88 FR 14368), the Commission published a notice in the Federal Register initiating a 60-day comment period for this collection. No comments were received from the public.

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

No payment or gift will be provided to respondents.

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

Confidential information that individuals provide is treated as such under section 0.459 of the Commission's rules. In addition, as noted in paragraph 1.a. above, there is a system of records (FCC/WTB-1, Wireless Services Licensing Records; see 71 FR 17234, 17269) which covers the collection of personally identifiable information on these individuals as required under the Privacy Act of 1974, as amended.

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

The Commission must collect information about the applicant's handicap to ensure that frequencies reserved for licensing to handicapped individuals are not licensed to non-handicapped persons.

- 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.**

Section 90.20(a)(2)(v) information is required from each affected applicant who applies for a new station license. Each affected applicant is required to obtain a simple statement from a physician attesting to their handicap. The time required of the applicant to arrange an appointment with the physician is estimated at 15 minutes per response. We estimate approximately one response annually, for a total of 1 burden hour per year. We believe this is a conservative estimate, and it may well overstate the number of filings actually received.

Initial Disclosure

No. of Responses	Hrs. Per Response	Annual Burden
1	15 minutes	0.25 hours

Estimate of annualized in-house cost to respondents:

We assume that the doctor's certification will be prepared during a visit to the office of the respondent's physician requiring a cost to respondents of \$50.00.

$$1 \text{ response} \times \$50.00 = \$50.00$$

Section 90.20(a)(2)(xi) information is required from each affected applicant upon initial license application. Since the applicants are communications common carriers, much of the information already resides in company manuals and will not have to be generated solely for this information collection requirement. Approximately 1 response is received annually, requiring an estimated 45 minutes each for a total annual burden of 0.75 hours.

No. of Responses	Hrs. Per Response	Annual Burden
1	45 minutes	0.75 hours

We assume that the respondent would use an internal electronics engineer to prepare the information at \$60.83 hour. Estimate of annualized in-house costs to respondents:

$$\$60.83 \text{ hour} \times 1 \text{ response} \times .75 \text{ hours} = \$45.63$$

Total Respondents: $1 + 1 = 2$ respondents.

Total Responses: $1 \text{ responses} + 1 \text{ responses} = 2$ responses.

Total Annual Burden Hours: $0.25 \text{ hours} + 0.75 \text{ hours} = 1$ total annual burden hours.

Total In-house Costs: $\$50.00 + \$45.63 = \$95.63$

13. Provide estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.

There are no capital or start-up costs or operation and maintenance and purchase of service costs anticipated.

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.

Estimate of cost to Federal Government with regard to section 90.20(a)(2)(v):

\$51.15	per hour (GS-12, Step 5 analyst)
x .25	hours per registration
x 1	registrations per year
<u>\$3.84</u>	30% overhead
\$16.63	

Estimate of cost to Federal Government with regard to Section 90.20(a)(2)(xi):

\$51.15 per hour (GS-12, Step 5 analyst)
x .33 hours per report
x 1 reports per year
+ \$5.06 30% overhead
\$21.94

Summary: \$16.63 + \$21.94 = \$38.57 total cost to Federal Government.

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

From the last submission to OMB, the Commission is reporting adjustments/decreases to the total number of respondents/total annual responses from 220 to 2 (-218) and the total annual burden hours from 155 to 1 hour (-154). We suspect that this dramatic decline is due, in part, to the growth/availability of other means of addressing this issue.

There are no program changes.

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

The FCC has no plans to publish data from this information collection.

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.

We do not seek approval to not display the expiration date for OMB approval of this information collection.

18. Explain any exceptions to the Certification Statement identified in Item 19, "Certification of Paperwork Reduction Act Submissions,"

There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

This information collection does not employ any statistical methods.