

## National Deaf-Blind Equipment Distribution Program

**A. Justification**

1. The Commission is seeking Office of Management and Budget (OMB) approval for a three-year extension of this information collection to allow communications equipment and related services to continue to be provided to low-income individuals who are deafblind.

The Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA) requires the Commission to take various measures to ensure that individuals with disabilities have access to emerging communications technologies in the 21<sup>st</sup> century.<sup>1</sup> Section 105 of the CVAA adds section 719 to the Communications Act of 1934, as amended (the Act).<sup>2</sup> This provision requires the Commission to establish rules to define the eligibility of programs to be approved by the Commission for the distribution of specialized customer premises equipment designed to make telecommunications service, Internet access service, and advanced communications, including interexchange services and advanced telecommunications and information services, accessible by low-income individuals who are deafblind.<sup>3</sup> The Commission may distribute up to \$10,000,000 annually from the Interstate Telecommunications Relay Service Fund (TRS Fund) to support this program.<sup>4</sup>

Accordingly, in 2011, the Commission adopted rules to establish the National Deaf-Blind Equipment Distribution Program (NDBEDP) as a pilot program<sup>5</sup> as of on July 1, 2012.<sup>6</sup>

On August 4, 2016, the Commission adopted rules to establish the NDBEDP, also known as “iCanConnect,” as a permanent program as of July 1, 2017.<sup>7</sup> The Commission’s Consumer and Governmental Affairs Bureau (CGB or Bureau) certified 56 entities – one entity for each state, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands – to receive reimbursement for their NDBEDP activities from the TRS Fund for a five year period beginning July 1, 2017, through June 30, 2022.<sup>8</sup> On May 22,

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<sup>1</sup> Pub. L. No. 111-260, 124 Stat. 2751 (2010); *see also* Amendment of Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. No. 111-265, 124 Stat. 2795 (2010) (making technical corrections).

<sup>2</sup> Section 719 of the Act is codified at 47 U.S.C. § 620.

<sup>3</sup> 47 U.S.C. § 620(a). For purposes of Section 719, the term “individuals who are deaf-blind” has the same meaning given such term in the Helen Keller National Center (HKNC) Act, as amended by the Rehabilitation Act Amendments of 1992. 47 U.S.C. § 620(b); 29 U.S.C. § 1905(2).

<sup>4</sup> 47 U.S.C. § 620(c).

<sup>5</sup> *Implementation of the Twenty-first Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, Report and Order, 26 FCC Rcd 5640 (2011) (*NDBEDP Pilot Program Order*).

<sup>6</sup> *Commission Announces Launch of the National Deaf-Blind Equipment Distribution Program*, Public Notice, 27 FCC Rcd 7403 (CGB 2012).

<sup>7</sup> *Implementation of the Twenty-first Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals*, CG Docket No. 10-210, Report and Order, 31 FCC Rcd 9178 (2016) (*NDBEDP Permanent Program Order*); 47 CFR §§ 64.6201-64.6219 (NDBEDP permanent program rules).

<sup>8</sup> 47 CFR § 64.6207; *see also* *NDBEDP Permanent Program Order*, 31 FCC Rcd at 9184, para. 9; *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program for 13 States and Territories*, Public Notice, 32 FCC Rcd 3959 (CGB 2017); *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program for 12 States*, Public Notice, 32 FCC Rcd 4078 (CGB 2017); *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program for 13 Additional States and Territories*, Public Notice, 32 FCC Rcd 4737 (CGB 2017); *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program for 8 Additional States and the District of Columbia*, Public Notice, 32 FCC Rcd 4999 (CGB 2017);

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2022, CGB certified 56 state and territory entities for a new five-year cycle from July 1, 2022, through June 30, 2027.<sup>9</sup>

***Information Collection Requirements:***

In the *NDBEDP Permanent Program Order*, the Commission adopted rules requiring the following:

- (a) *Certification to receive funding.* Entities must apply to the Commission for certification to receive reimbursement from the TRS Fund for NDBEDP activities. 47 CFR § 64.6207(a), (b), (c), (d)(1), (e).
- (b) *Relinquishment of certification.* A program wishing to relinquish its certification before its certification expires must provide written notice of its intent to do so. 47 CFR § 64.6207(g).
- (c) *Conflicts of interest.* Certified programs must disclose to the Commission actual or potential conflicts of interest. 47 CFR § 64.6207(d)(2).
- (d) *Notification of substantive change.* Certified programs must notify the Commission of any substantive change that bears directly on its ability to meet the qualifications necessary for certification. 47 CFR § 64.6207(f).
- (e) *Suspension or revocation of certification.* A certified entity may present written arguments and any relevant documentation as to why suspension or revocation of certification is not warranted. 47 CFR § 64.6207(h).
- (f) *Certification transitions.* When a new entity is certified as a state's program, the previously certified entity must take certain actions to complete the transition to the new entity. 47 CFR § 64.6207(j)(i)-(iii).
- (g) *Verification of disability.* Certified programs must require an applicant to provide verification that the applicant is deafblind. 47 CFR § 64.6209(a).
- (h) *Verification of income eligibility.* Certified programs must require an applicant to provide verification that the applicant meets the income eligibility requirement. 47 CFR § 64.6209(b).
- (i) *Reverification.* Certified programs must re-verify the income and disability eligibility of an equipment recipient under certain circumstances. 47 CFR § 64.6209(f).
- (j) *Transfer of recipient's account.* Certified programs must permit the transfer of an equipment recipient's account when the recipient relocates to another state. 47 CFR § 64.6211(a)(2)-(3).
- (k) *Consumer attestation.* Certified programs must include an attestation on consumer application forms. 47 CFR § 64.6211(a)(5).
- (l) *Audits.* Certified programs must conduct annual audits and submit to Commission-directed audits. 47 CFR § 64.6211(a)(7).
- (m) *Recordkeeping.* Certified programs must document compliance with NDBEDP requirements, provide such documentation to the Commission upon request, and retain such records for at least five years. 47 CFR § 64.6211(a)(8)-(9).

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*Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program for 9 Additional States*, Public Notice, 32 FCC Rcd 5041 (CGB 2017).

<sup>9</sup> *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program*, Public Notice, 2022 WL 1580800 (CGB 2022).

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- (n) *Reimbursement claims.* Certified programs must submit reimbursement claims as instructed by the TRS Fund Administrator, and supplemental information and documentation as requested. 47 CFR § 64.6213. In addition, the entity selected to conduct national outreach will submit claims for reimbursement on a quarterly basis.<sup>10</sup>
- (o) *Reports.* Certified programs must submit reports every six months as instructed by the NDBEDP Administrator. 47 CFR § 64.6215. In addition, the entity selected to conduct national outreach will submit an annual report.<sup>11</sup>
- (p) *Complaints.* Informal and formal complaints may be filed against NDBEDP certified programs, and the Commission may conduct such inquiries and hold such proceedings as it may deem necessary. 47 CFR § 64.6217.
- (q) *Whistleblower protections.* Certified programs must include the NDBEDP whistleblower protections in appropriate publications. 47 CFR § 64.6219.

The statutory authority for this information collection is contained in sections 1, 4(i), 4(j), and 719 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 151, 154(i), 154(j), and 620.

2. All collections of information are promulgated pursuant to section 105 of the CVAA, which added section 719 to the Communications Act, and requires that the Commission establish rules that define as eligible for relay service support those programs approved by the Commission for the distribution of specialized customer premises equipment to low-income individuals who are deafblind.

This information collection contains personally identifiable information (PII) on individuals.

- (a) As required by the Privacy Act, 5 U.S.C. § 552a, the FCC published a system of records notice (SORN), FCC/CGB-3, “National Deaf-Blind Equipment Distribution Program,” in the *Federal Register* on January 19, 2012 (77 FR 2721), which became effective on February 28, 2012.<sup>12</sup>
  - (b) As required by OMB Memorandum M-03-22 (September 26, 2003) and by Section 208 of the E-Government Act of 2002, 44 U.S.C. § 3501 note, the FCC completed a Privacy Impact Assessment (PIA) in 2020. This PIA was last reviewed in June 2021 and is posted on the FCC’s website at <https://www.fcc.gov/sites/default/files/pia-ndbedp-system.pdf>.
3. The Commission permits entities to submit applications electronically for certification to participate in the NDBEDP. Certified programs that wish to relinquish their certifications must provide written notice electronically to the Commission. The Commission permits certified programs to submit electronically conflict of interest disclosures, substantive change notifications, suspension or revocation of certification written arguments and documentation, reports of transfer and notification completion, annual audits, and requested documents. The Commission’s overall purpose for permitting such electronic filings is to make such submissions as simple and expedient as possible for such entities.

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<sup>10</sup> See *NDBEDP Permanent Program Order* at para. 139.

<sup>11</sup> See *id.*

<sup>12</sup> Pursuant to the *NDBEDP Permanent Program Order*, the Bureau established a centralized database for the submission of program data to the Commission. *Id.* at paras. 189-190. This database streamlined the collection of information by eliminating the duplication of effort involved in filing identical data for both reimbursement and reporting purposes. The Commission will modify the NDBEDP SORN, FCC/CGB-3, and take other measures, as necessary and appropriate, with respect to the usage of the centralized database.

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Consumers may submit informal complaints to the Commission by any reasonable means (e.g., online, letter, fax, telephone, TTY, e-mail). The Commission's overall purpose is to make the filing of such complaints as simple as possible for consumers. Filing electronically also facilitates the Commission's ability to respond to such complaints as expeditiously as possible.<sup>13</sup>

The rules adopted for the NDBEDP require certified programs to submit reports and reimbursement claims in accordance with instructions issued by the NDBEDP Administrator and the TRS Fund Administrator, respectively, which require such reports and claims to be submitted electronically. Requiring information collections to be submitted electronically is intended to promote electronic recordkeeping to facilitate and reduce the burden of reporting by these certified programs. In addition, these electronic submissions facilitate assessment and evaluation of NDBEDP certified programs for the administration and operation of the program.

In the *NDBEDP Permanent Program Order*, the Commission directs the Bureau to establish a centralized database for the submission of program data to the Commission.<sup>14</sup> This database launched on July 1, 2022, and all certified programs are required to use the centralized database to file their semiannual program reports. In addition, programs will be allowed, but not required, to also use the centralized database for generating reimbursement claims, which is expected to streamline the collection of information by eliminating the duplication of effort involved in filing identical data for both reimbursement and reporting purposes. A centralized database allows the efficient retrieval of data in a uniform format from a single system, which, in turn, will enable the Commission to oversee the program more effectively and efficiently; analyze the performance of certified programs; detect patterns indicating potential fraud, waste, or abuse; and provide aggregate national program statistics to inform the Commission's future policy deliberations for the NDBEDP.

4. The information is not duplicated elsewhere. No similar information is available.
5. The Commission took steps to minimize the burdens associated with the information collection requirements contained in the *NDBEDP Permanent Program Order* for small business concerns, including those with fewer than 25 employees. For example, the Commission will reimburse the 56 entities it certifies to participate in the NDBEDP, as well as the entity it selects to conduct national outreach, for all of their NDBEDP-related expenses, up to their annual funding allocations. Specifically, the Commission reimburses certified programs up to 15% of their annual funding allocations to cover indirect and direct costs that are necessary for the operation of those programs, such as costs for management and administrative support personnel, as well as the administration of oversight requirements, including reports, accounting, and audits.<sup>15</sup> In addition, among other things, the rules adopted in the *NDBEDP Permanent Program Order* are intended to reduce the administrative burden on certified programs. For example, in the *NDBEDP Permanent Program Order*, the Commission directs the Bureau to establish a centralized database for the submission of program data to the Commission. All certified programs are required to use the centralized database to file their semiannual program reports. In addition, programs are allowed, but not required, to also use the centralized database for generating reimbursement requests, which is expected to streamline the collection of information

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<sup>13</sup> As explained *infra*, the information collection burdens on consumers associated with filing informal complaints have been transferred to OMB Control. No. 3060-0874 (Consumer Complaint Portal). The burdens associated with processing complaints against a National Deaf-Blind Equipment Distribution Program certified provider remain with this collection.

<sup>14</sup> *NDBEDP Permanent Program Order* at paras. 189-190.

<sup>15</sup> *See id.* at para. 165; 47 CFR § 64.6213(c)(8).

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by eliminating the duplication of effort involved in filing identical data for both reimbursement and reporting purposes.

6. There are no statutory consequences if such information is not submitted by NDBEDP certified programs.
7. The collections are not being conducted in any manner inconsistent with the guideline of 5 CFR § 1320.
8. The Commission published a notice in the *Federal Register* as required by 5 CFR § 1320.8(d) seeking comments from the public on the information collection requirements contained in this supporting statement. See 88 FR 31758 on May 18, 2023. No comments were received in response to the notice.
9. The Commission does not anticipate providing any payment or gift to respondents.
10. As stated above in question 2, the Commission published a SORN, FCC/CGB-3, “National Deaf-Blind Equipment Distribution Program,” in the *Federal Register* on January 19, 2012 (77 FR 2721), which became effective on February 28, 2012, to cover the PII collected related to this information collection, as required by OMB’s Memorandum M-03-22 (September 26, 2003) and by the Privacy Act, 5 U.S.C. § 522a.<sup>16</sup> In addition, as stated above in question 2, the Commission prepared the PIA related to the PII covered by these information collections, as required by OMB’s Memorandum M-03-22 (September 26, 2003) and by Section 208 of the E-Government Act of 2002, 44 U.S.C. § 3501 note. The FCC completed a PIA in 2020. This PIA was last reviewed in June 2021 and is posted on the FCC’s website at: <https://www.fcc.gov/sites/default/files/pia-ndbedp-system.pdf>.
11. There are no questions of a sensitive nature with respect to the information collected.
12. Estimates of hour burdens for the collection of information are as follows:<sup>17</sup>
  - (a) **47 CFR § 64.6207(a), (b)(1), (c), (d)(1), (e) – Certification to receive funding (renewal and initial certifications).**

In 2022, the Commission certified a single entity for each state, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands – a total of 56 jurisdictions – to receive reimbursement from the TRS Fund for NDBEDP activities.<sup>18</sup>

Certifications are granted for a period of five years. When a certified entity is replaced prior to the expiration of the certification period, the successor entity’s certification will expire on the date that the replaced entity’s certification would have expired. Incumbent programs may apply for renewal of their certifications by filing new applications at least one year prior to the expiration of the certification period. Similarly, other entities may apply for certification as new entrants to the program at least one year prior to the expiration of the five-year certification period.

The current five-year certification period ends June 30, 2027. As a result, all incumbent programs must apply to renew their certifications, if desired, and potential new entrants must also apply for certification by the end of the fourth year of the current certification cycle, which is June 30, 2026.<sup>19</sup>

<sup>16</sup> See *supra* note 12.

<sup>17</sup> Some calculations are annualized over three-year time periods.

<sup>18</sup> *Commission Announces Entities Certified to Participate in the National Deaf-Blind Equipment Distribution Program*, Public Notice, 2022 WL 1580800 (CGB 2022).

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As such, information (applications for new or renewed certification for the period beginning July 1, 2027 through June 30, 2032) will not be collected during the three-year OMB approval period and, therefore, there will be no related collection burdens. Therefore, the following information is not included in the burden totals for this three-year collection period, but is provided for ongoing informational purposes:

The Commission estimates that 36 entities will file a combined total of 63 applications to be certified NDBEDP programs for the 56 jurisdictions because some entities will apply for multiple jurisdictions, and some entities will file competing applications in the same jurisdictions as other entities.

36 entities / 3 years = 12 annualized respondents

**Number of Annualized Respondents: 12<sup>20</sup>**

63 applications / 3 years = 21 annualized responses

**Number of Annualized Responses: 21**

The Commission estimates that respondents will require approximately five hours to complete and submit each application for NDBEDP certification.

21 annualized responses x 5 hours = 105 annualized hours

**Number of Annualized Burden Hours: 105 hours**

**Annualized “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to mid-to-senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

105 hours for completing the application process x \$84.55 per hour = \$8,877.75

**Total Annualized “In-House” Costs = \$8,877.75**

**(b)(1) 47 CFR § 64.6207(g) – Relinquishment of certification.**

Certified programs may relinquish their certification before their certification expires. In such instances, the program must provide written notice, electronically, of its intent to do so to the NDBEDP Administrator and the TRS Fund Administrator. The Commission estimates that on average two certified programs relinquish their certifications each year.<sup>21</sup>

**Number of Annual Respondents: 2**

2 certified programs x 1 notice = 2 responses

**Number of Annual Responses: 2 responses**

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<sup>19</sup> Applications must contain sufficient detail to demonstrate the entity’s ability to meet all criteria required for certification and a commitment to comply with all Commission requirements governing the NDBEDP. Applicants for certification must disclose to the Commission certain circumstances that pose an actual or potential conflict of interest and the steps it will take to eliminate the conflict or minimize the associated risks. The Commission determines whether to grant certification based on the ability of a program to meet the criteria required for certification, either directly or in coordination with other programs or entities, as evidenced in the application and any supplemental materials, including letters of recommendation. 47 CFR § 64.6207.

<sup>20</sup> The 12 annualized respondents are a subset of the certified program respondents in 12(g) *infra*.

<sup>21</sup> The 2 respondents are a subset of the certified program respondents in 12(g), *infra*.

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The Commission estimates that respondents will require approximately one hour to complete and submit each notice of intent to relinquish its certification.

2 responses x 1 hour = 2 hours

**Number of Annual Burden Hours: 2 hours**

**Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

2 hours for providing notice x \$84.55 per hour = \$169.10

**Total Annual “In-House” Costs = \$169.10**

**(b)(2) 47 CFR § 64.6207(a), (b)(3), (c), (d)(1), (e) – Certification to receive funding (replacing an outgoing entity)**

The Commission estimates that on average two entities each submit one application for certification in response to Bureau notices of certifications that are relinquished each year.<sup>22</sup>

**Annual Number of Respondents: 2**

2 entities x 1 application = 2 responses

**Annual Number of Responses: 2 responses**

The Commission estimates that respondents will require approximately five hours to complete and submit each application for NDBEDP certification.

2 applications x 5 hours = 10 hours

**Annual Burden Hours: 10 hours**

**Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

10 hours for completing the application process x \$84.55 per hour = \$845.50

**Total Annual “In-House” Costs = \$845.50**

**(c) 47 CFR § 64.6207(d)(2) – Conflicts of interest.**

After an entity is certified, it must disclose to the Commission certain circumstances that pose an actual or potential conflict of interest and the steps it will take to eliminate the conflict or minimize the associated risks. The Commission estimates that one certified program will disclose such conflicts to the Commission each year.<sup>23</sup>

**Number of Annual Respondents: 1**

1 certified program x 1 notice = 1 response

<sup>22</sup> The 2 respondents are a subset of the certified program respondents in 12(g) *infra*.

<sup>23</sup> The respondent is a subset of the certified program respondents in 12(g), *infra*.

**Number of Annual Responses: 1 response**

The Commission estimates that respondents will require approximately one hour to complete and submit each conflict of interest disclosure to the Commission.

1 response x 1 hour = 1 hour

**Number of Annual Burden Hours: 1 hour**

**Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

1 hour for providing disclosure x \$84.55 per hour = \$84.55

**Total Annual “In-House” Costs = \$84.55**

**(d) 47 CFR § 64.6207(f) – Notification of substantive change.**

After an entity is certified, it must notify the Commission of any substantive change that bears directly on its ability to meet the qualifications necessary for certification. The Commission estimates that one certified program will notify the Commission about such substantive changes each year.<sup>24</sup>

**Number of Annual Respondents: 1**

1 certified program x 1 notice = 1 response

**Number of Annual Responses: 1 response**

The Commission estimates that respondents will require approximately one hour to complete and submit each substantive change notification to the Commission.

1 responses x 1 hour = 1 hour

**Number of Annual Burden Hours: 1 hour**

**Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

1 hour for providing notice x \$84.55 per hour = \$84.55

**Total Annual “In-House” Costs = \$84.55**

**(e) 47 CFR § 64.6207(h) – Suspension or revocation of certification.**

The Commission may suspend or revoke an entity’s certification. After being notified of a proposed suspension or revocation of certification, a certified entity may present written arguments and any relevant documentation as to why suspension or revocation of certification is not warranted. The Commission estimates that it will take action to suspend or revoke one entity’s certification during the next five years of the NDBEDP.<sup>25</sup>

1 entity / 5 years = 0.2 (1 annualized respondent)

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<sup>24</sup> The respondent is a subset of the certified program respondents in 12(g), *infra*.



**Number of Annualized Respondents: 1**

1 annualized respondent x 1 response = 1 annualized response

**Number of Annualized Responses: 1**

The Commission estimates that the respondent will require approximately 10 hours to complete and submit each response to a proposed suspension or revocation of certification.

1 annualized response x 10 hours / 5 years = 2 annualized hours

**Number of Annualized Burden Hours: 2 hours**

**Annualized “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

2 hours to respond to a proposed suspension or revocation of certification x \$84.55 per hour = \$169.10

**Total Annualized “In-House” Costs = \$169.10**

**(f) 47 CFR § 64.6207(j)(i)-(iii) – Certification transitions.**

The Commission estimates that two certified programs relinquish their certifications each year.<sup>26</sup> When a new entity is certified as a state’s program, the previously certified (outgoing) entity must take the following transition process actions: (1) transfer to the new entity all NDBEDP data, records, and information for the previous five years, and any equipment remaining in inventory; (2) provide notification in accessible formats about the newly-certified state program to state residents who are in the process of obtaining equipment or related services, or who received equipment during the previous three-year period; (3) inform the NDBEDP Administrator that such transfer and notifications have been completed; and submit all remaining reimbursement claims, reports, audits, and other required information relating to the previously certified entity’s provision of equipment and related services.<sup>27</sup> The Commission estimates that three outgoing entities will complete the transition process every year.

**Number of Annual Respondents: 2**

2 certified programs x 1 transition process = 2 responses

**Number of Annual Responses: 2 responses**

The Commission estimates that respondents will require approximately 40 hours to complete each transition process.

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<sup>25</sup> This estimate is based on the Commission’s experience. Since the inception of the NDBEDP, the Commission has not suspended or revoked any entity’s certification. The respondent is a subset of the certified program respondents in 12(g), *infra*.

<sup>26</sup> The 2 respondents are a subset of the certified program respondents in 12(g) *infra*.

<sup>27</sup> Based on its experience during the last five full program years, the Commission estimates that an outgoing entity will need to transfer records for an average of 170 individuals served during the previous five years, and notify an average of 110 individuals served during the previous three years. Notifications to these individuals about the newly-certified state program may be provided, for example, by e-mail, in large print format mailed to the consumer’s last known mailing address, by phone call, text message, or in-person, as necessary to ensure effective communication.

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2 responses x 40 hours = 80 hours

**Number of Annual Burden Hours: 80 hours**

**Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

80 hours for completing the transition process x \$84.55 per hour = \$6,764

**Total Annual “In-House” Costs = \$6,764**

**(g) 47 CFR § 64.6209(a) – Verification of disability.**

Each of the 58 certified programs must require applicants to provide verification that the applicant is deafblind as defined in 47 CFR § 64.6203(c).<sup>28</sup> The applicant may provide an attestation from a professional with direct knowledge of the individual’s disability or the applicant may provide existing documentation that the individual is deafblind, such as an individualized education program (IEP) or a Social Security determination letter.

**(g)(1) Verification of Disability – Burden on Certified Programs:**

**Number of Annual Respondents: 58**

Based on the number of new individuals served by the program during the last three years (2019-2022), the Commission estimates that the 58 certified programs, collectively, will obtain and review approximately 1,000 verifications of disability each year.

**Number of Annual Responses: 1,000 responses**

The Commission estimates that the average hourly burden for obtaining and reviewing a verification of disability is 30 minutes (0.5 hour) for each applicant.

0.5 hours x 1,000 verifications of disability = 500 hours

**Number of Annual Burden Hours: 500 hours**

**Annual “In House” Costs:**

The Commission assumes that respondents use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15/5), therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

500 hours to obtain and review verifications of disability x \$84.55/hour = \$42,275

**Total Annual “In-House” Costs = \$42,275**

**(g)(2) Verification of Disability – Burden on Consumers**

**Number of Annual Respondents: 1,000 applicants**

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<sup>28</sup> See *supra* at 12(a) (noting that the Commission certified a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year, for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for different time periods. See 12(b), (c), *supra*.

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Based on the number of new individuals served by the program during the last three years (2019-2022), the Commission estimates that approximately 1,000 new applicants will obtain and submit verifications of disability each year.

**Number of Annual Responses: 1,000 responses**

The Commission estimates that the average hourly burden for obtaining and submitting a verification of disability is 2 hours for each applicant.

2 hours x 1,000 verifications of disability = 2,000 hours

**Number of Annual Burden Hours: 2,000 hours****Annual “In House” Costs: \$0**

Because these burdens are on the consumers, not the programs, the hourly cost is \$0.

8,500 hours x \$0 / hour = \$0

**Cumulative Totals for (g):**

**Total annual number of respondents:** 1,058 (58 certified programs + 1,000 applicants)

**Total annual number of responses:** 2,000 (1,000 responses reviewed by certified programs + 1,000 responses submitted by consumers)

**Total annual burden hours:** 2,500 (500 burden hours on certified programs + 2,000 burden hours on consumers)

**Total annual “in-house” costs:** \$42,275

**(h) 47 CFR § 64.6209(b) – Verification of income eligibility.**

Each of the 58 certified programs must require applicants to provide verification that the applicant is low income as defined in 47 CFR § 64.6209(b).<sup>29</sup> The applicant may provide verification of income eligibility by demonstrating that the applicant is enrolled in a qualifying low-income subsidy program. When an applicant is not already enrolled in a qualifying low-income program, income eligibility may be verified by the certified program using appropriate and reasonable means.

**(h)(1) Verification of Income Eligibility – Burden on Certified Programs:****Number of Annual Respondents: 58**

Based on the number of new individuals served by the program during the last three years (2019-2022), the Commission estimates that the 58 certified programs, collectively, will obtain and review approximately 1,000 verifications of income eligibility each year.

**Number of Annual Responses: 1,000 responses**

The Commission estimates that the average hourly burden for obtaining and reviewing a verification of income eligibility is 30 minutes (0.5 hour) for each applicant.

0.5 hours x 1,000 verifications of income eligibility = 500 hours

<sup>29</sup> See *supra* at 12(a) (noting that the Commission certifies a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for different time periods. See 12(b), (c), *supra*. These are the same 58 certified program respondents as 12(g) *supra*.

**Number of Annual Burden Hours: 500 hours**

**Annual “In House” Costs:**

The Commission assumes that respondents use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15/5), therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

500 hours to obtain and review verifications of income eligibility x \$84.55/hour = \$42,275

**Total Annual “In-House” Costs = \$42,275**

**(h)(2) Verification of Income Eligibility – Burden on Consumers**

**Number of Annual Respondents: 1,000 applicants**

Based on the number of new individuals served by the program during the last three years (2019-2022), the Commission estimates that approximately 1,000 new applicants will obtain and submit verifications of income eligibility each year.

**Number of Annual Responses: 1,000 responses**

The Commission estimates that the average hourly burden for obtaining and submitting a verification of income eligibility is 5 hours for each applicant.

5 hours x 1,000 verifications of disability = 5,000 hours

**Number of Annual Burden Hours: 5,000 hours**

**Annual “In House” Costs: \$0**

Because these burdens are on the consumers, not the programs, the hourly cost is \$0.  
5,000 hours x \$0 / hour = \$0

**Cumulative Totals for (h):**

**Total annual number of respondents:** 1,058 (58 certified programs + 1,000 applicants)

**Total annual number of responses:** 2,000 (1,000 responses reviewed by certified programs + 1,000 responses submitted by applicants)

**Total annual burden hours:** 5,500 (500 burden hours on certified programs + 5,000 burden hours on applicants)

**Total annual “in-house” costs:** \$42,275

**(i) 47 CFR § 64.6209(f) – Reverification.**

Each of the 58 certified programs must re-verify the income eligibility of an equipment recipient who applies for additional equipment or related services one year or more after the recipient’s income was last verified.<sup>30</sup> Each of the 58 certified programs must re-verify an individual’s disability eligibility if it has reason to believe that the individual’s vision or hearing has improved sufficiently that the individual is no longer eligible for equipment or related services. Certified programs may require updated information about an individual’s disabilities when it deems this to

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<sup>30</sup> See *supra* at 12(a) (noting that the Commission certifies a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for different time periods. See 12(b), (c), *supra*. These are the same 58 certified program respondents as 12(g) *supra*.

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be necessary to assess whether to provide the individual with different equipment or related services.

**(i)(1) Reverification – Burden on Certified Programs:**

**Number of Annual Respondents: 58**

Based on the number of individuals who were previously served by the program during the last three years (2019-2022), the Commission estimates that the 58 certified programs, collectively, will re-verify the income eligibility of approximately 1,200 individuals each year.

The Commission also estimates that each certified program, on average, will re-verify the disability eligibility of two individuals each year.<sup>31</sup>

1,200 income reverifications + 2 disability reverifications = 1,202 reverifications per year

**Number of Annual Responses: 1,202 responses**

The Commission estimates that the average hourly burden for obtaining and reviewing verifications of income and disability eligibility is 30 minutes (0.5 hour) for each applicant.

0.5 hours x 1,202 verifications of income eligibility = 601 hours

**Number of Annual Burden Hours: 601 hours**

**Annual “In House” Costs:**

The Commission assumes that respondents use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15/5), therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

601 hours to re-verify income and disability eligibility x \$84.55/hour = \$50,814.55

**Total Annual “In-House” Costs = \$50,814.55**

**(i)(2) Reverification – Burden on Consumers**

**Number of Annual Respondents: 1,202 applicants**

Based on the number of individuals previously served by the program during the last three years (2019-2022), the Commission estimates that approximately 1,200 individuals will re-verify their income eligibility each year.

The Commission also estimates that 2 additional individuals will re-verify their disability eligibility each year.

1,200 individuals re-verifying income eligibility + 2 individuals re-verifying disability eligibility = 1,202 responses per year

**Number of Annual Responses: 1,202 responses**

The Commission estimates that the average hourly burden for reverifying income eligibility is 1 hour and disability eligibility is 5 hours for each applicant.

(5 hours x 1,200 verifications of income) + (1 hour x 2 verifications of disability) = 6,002 hours

**Number of Annual Burden Hours: 6,002 hours**

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<sup>31</sup> Because the vision and hearing of individuals who are deafblind are likely to worsen (not improve) over time, the Commission estimates that a certified program will require an updated disability verification from about two individuals per year to effectively respond to changes in the type and severity of an individual’s disability. See *NDBEDP Permanent Program Order* at para. 63.

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**Annual “In House” Costs: \$0**

Because these burdens are on the consumers, not the programs, the hourly cost is \$0.  
 6,002 hours x \$0 / hour = \$0

**Cumulative Totals for (i):**

**Total annual number of respondents:** 1,260 (58 certified programs + 1,202 individuals)

**Total annual number of responses:** 2,404 (1,202 responses reviewed by certified programs + 1,202 responses submitted by applicants)

**Total annual burden hours:** 6,603 (601 burden hours on certified programs + 6,002 burden hours on applicants)

**Total annual “in-house” costs:** \$50,814.55

**(j) 47 CFR § 64.6211(a)(2)-(3) – Transfer of a recipient’s account.**

Certified programs must permit the transfer of an equipment recipient’s account, records, and any title to and control of the distributed equipment to and from another jurisdiction’s certified program when the recipient relocates to another state. The Commission estimates that about 10 equipment recipients will relocate to another jurisdiction each year.<sup>32</sup> The Commission estimates that 10 certified programs will transfer an equipment recipient’s account to another jurisdiction and 10 other certified programs will receive the recipient’s account from another jurisdiction, involving a total of 20 certified programs.

**Number of Annual Respondents: 20**

The Commission estimates that each of the 20 certified programs will be involved in the transfer of one equipment recipient’s account per year.

20 certified programs x 1 transfer each = 20 transfers per year

**Number of Annual Responses: 20 responses**

The Commission estimates that the average hourly burden for transferring an equipment recipient’s account is one hour for each transfer.

1 hour x 20 transfers of equipment recipients’ accounts = 20 hours

**Number of Annual Burden Hours: 20 hours****Annual “In House” Costs:**

The Commission assumes that respondents use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15/5), therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

20 hours to transfer equipment recipients’ accounts x \$84.55/hour = \$1,691

**Total Annual “In-House” Costs = \$1,691**

**(k) 47 CFR § 64.6211(a)(5) – Consumer attestation.**

<sup>32</sup> The Commission expects that this estimate will be informed in the future by analysis of data input by certified programs into the centralized database, after sufficient time has elapsed to enable us to evaluate the data generated by the database. See *supra* at section 3. These 20 respondents are a subset of the certified program respondents in 12(g) *supra*.

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Each certified program must include an attestation on consumer application forms for applicants to certify that they have read, understand, and accept the conditions specified in the attestation to participate in the NDBEDP. The attestation must be substantially similar to the attestation that appears in 47 CFR § 64.6211(a)(5). This requirement applies to and has been fulfilled by each of the 56 entities currently certified by the Commission. This requirement also applies to the two entities that the Commission estimates it will certify each year to replace outgoing entities that relinquish their certifications before the end of their terms.<sup>33</sup>

**Number of Annual Respondents: 2**

Each certified program must include the attestation on consumer application forms once.

**Number of Annual Responses: 2**

The Commission estimates that respondents will require approximately two hours to include the attestation in their application forms.

2 annual responses x 2 hours = 4 hours

**Number of Annual Burden Hours: 4 hours****Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

4 hours to include the attestation in consumer application forms x \$84.55 per hour = \$338.20

**Total Annualized “In-House” Costs = \$338.20**

**(I) 47 CFR § 64.6211(a)(7) – Audits.**

Each of the 58 certified programs must engage an independent auditor to conduct an annual audit, submit a copy of the annual audit to the NDBEDP Administrator, and submit to audits as deemed appropriate by the Commission or its delegated authorities.<sup>34</sup>

**Number of Annual Respondents: 58**

In addition to the annual audit required of all 58 certified programs, the Commission estimates that one of the 58 certified programs will be required to submit to an additional Commission-directed audit each year.

(58 certified programs x 1 annual audit each) + 1 Commission-directed audits = 59 responses

**Number of Annual Responses: 59 responses**

The Commission estimates that respondents will require approximately 10 hours to complete each annual audit and to submit a copy of the audit to the NDBEDP Administrator, and 10 hours to comply with each of the two Commission-directed audits per year.

59 responses x 10 hours = 590 hours

<sup>33</sup> These 2 respondents are a subset of the certified program respondents in 12(g) *supra*.

<sup>34</sup> See *supra* at 12(a) (noting that the Commission certifies a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for different time periods. See 12(b), (c), *supra*. These are the same 58 certified program respondents as 12(g) *supra*.

## National Deaf-Blind Equipment Distribution Program

**Number of Annual Burden Hours: 590 hours**

**Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

590 hours for annual and Commission-directed audits x \$84.55 per hour = \$49,884.50

**Total Annual “In-House” Costs = \$49,884.50**

**(m) 47 CFR § 64.6211(a)(8)-(9) – Recordkeeping.**

Each of the 58 certified programs must document compliance with all Commission requirements governing the NDBEDP and provide such documentation to the Commission upon request.<sup>35</sup> 47 CFR § 64.6211(a)(8). Each of the 58 certified programs must retain all records associated with the distribution of equipment and provision of related services under the NDBEDP, including records that support reimbursement claims and required reports, for a minimum of five years. 47 CFR § 64.6211(a)(9).

**Number of Annual Respondents: 58**

In addition to the recordkeeping required of all 58 certified programs, the Commission estimates that two of the 56 certified programs will submit Commission-requested documentation of compliance with NDBEDP requirements each year.

(58 certified programs x 1 recordkeeping each) + 2 Commission-requested documentation submissions = 60 responses

**Number of Annual Responses: 60 Responses**

The Commission estimates that the 58 certified programs will each require approximately 24 hours per year to document compliance with the Commission’s NDBEDP requirements and to retain those records associated with the distribution of equipment and provision of related services. In addition, the Commission estimates that two of the 58 certified programs will require 8 hours each per year to provide Commission-requested documentation of compliance with the Commission’s NDBEDP requirements.

(58 responses x 24 hours) + (2 responses x 8 hours) = 1,408 hours

**Number of Annual Burden Hours: 1,408 hours**

**Annual “In House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

1,408 hours for recordkeeping and responding to documentation requests x \$84.55 per hour = \$119,046.40

**Total Annual “In-House” Costs = \$119,046.40**

<sup>35</sup> See *supra* at 12(a) (noting that the Commission certifies a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for different time periods. See 12(b), (c), *supra*. These are the same 58 certified program respondents as 12(g) *supra*.



**(n) 47 CFR § 64.6213 – Reimbursement claims.**

Certified programs are reimbursed for the cost of equipment that has been distributed to eligible individuals and authorized related services, up to each certified program’s annual funding allocation. 47 CFR § 64.6213(a).

**(n)(1) Election of claim period.** Upon certification and at the beginning of each TRS Fund year, certified programs may elect to submit reimbursement claims on a monthly, quarterly, or semiannual basis. 47 CFR § 64.6213(b). Certified programs notify the TRS Fund administrator about their claim period election. The Commission estimates that 20 certified programs make this election each year.<sup>36</sup>

20 certified programs, on average, making the election each year

**Number of Annual Respondents: 20**

The Commission estimates that each of the 20 respondents, on average, electing a reimbursement claim period in a given year will make one such election each year.

**Number of Annual Responses: 20**

The Commission estimates that respondents will require approximately 0.5 hours each to notify the TRS Fund administrator about claim period elections.

20 annual responses x 0.5 hours = 10 annual hours

**Number of Annual Burden Hours: 10 hours**

**Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

10 hours to notify the TRS Fund Administrator about claim period elections x \$84.55 per hour = \$845.50

**Total Annualized “In-House” Costs = \$845.50**

**(n)(2) Claim submission.** For each reimbursement period elected, a certified program must submit documentation that supports its claim for reimbursement of the reasonable costs of equipment distributed and related services. 47 CFR § 64.6213(c). Documentation must be provided in accordance with claim filing instructions issued by the TRS Fund Administrator, and certified programs must submit supplemental information and documentation, as requested by the NDBEDP Administrator and the TRS Fund Administrator, when necessary to verify particular claims. 47 CFR § 64.6213(d). Each reimbursement claim must be certified by a senior executive of the certified program. 47 CFR § 64.6213(e). In addition, the entity selected to conduct national outreach will submit claims for reimbursement on a quarterly basis.<sup>37</sup>

58 certified programs<sup>38</sup> + 1 national outreach entity = 59 respondents

<sup>36</sup> The respondents are a subset of the certified program respondents in 12(g) *supra*.

<sup>37</sup> See *NDBEDP Permanent Program Order* at para. 139.

<sup>38</sup> See *supra* at 12(a) (noting that the Commission certifies a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for

## National Deaf-Blind Equipment Distribution Program

**Number of Annual Respondents: 59**

The Commission estimates that, of the 58 certified programs, 6 will submit claims monthly, 46 will submit claims quarterly, and 6 will submit claims semiannually, and that the national outreach entity will submit claims semi-annually.

$(6 \text{ programs} \times 12 \text{ monthly claims}) + (46 \text{ programs} \times 4 \text{ quarterly claims}) + (6 \text{ programs} \times 2 \text{ semiannual claims}) + (1 \text{ national outreach} \times 2 \text{ semi-annual claims}) = 270 \text{ reimbursement claims}$

**Number of Annual Responses: 270 responses**

The Commission estimates that respondents will require approximately eight hours to complete and submit each reimbursement claim, as instructed, with support documentation and required certification, and respond to any requests for supplemental information and documentation.

$270 \text{ responses} \times 8 \text{ hours} = 2,160 \text{ hours}$

**Number of Annual Burden Hours: 2,160 hours****Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

$2,160 \text{ hours for reimbursement claims} \times \$84.55 \text{ per hour} = \$182,628$

**Total Annual “In-House” Costs = \$182,628**

**(o) 47 CFR § 64.6215 – Reports.**

Every six months, certified programs must submit data to the Commission about equipment recipients, the equipment provided, assessments, installation, training, local outreach, promptness of service, and other categories of information, as necessary to further the purposes of the program and prevent fraud, waste, and abuse. 47 CFR § 64.6215(a)-(b). Reports must be submitted in accordance with instructions issued by the NDBEDP Administrator. 47 CFR § 64.6215(b). Each report must be certified by a senior executive of the certified program. 47 CFR § 64.6215(c). In addition, the entity selected to conduct national outreach will submit a summary and analysis of national outreach activities on an annual basis, in a format that will enable the NDBEDP Administrator to monitor the costs and efficacy of its outreach activities.<sup>39</sup>

$58 \text{ certified programs}^{40} + 1 \text{ national outreach entity}^{41} = 59 \text{ respondents}$

**Number of Annual Responses: 59**

$(58 \text{ programs} \times 2 \text{ semiannual reports}) + (1 \text{ national outreach report}) = 117 \text{ reports}$

different time periods. See 12(b), (c), *supra*. These are the same 58 certified program respondents as 12(g) *supra*.

<sup>39</sup> See NDBEDP Permanent Program Order at para. 139. The NDBEDP program respondents are the same 58 respondents in 12(g) *supra*. The entity conducting national outreach is the same entity conducting national outreach in 12(n)(2), *supra*.

<sup>40</sup> See *supra* at 12(a) (noting that the Commission certifies a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for different time periods. See 12(b), (c), *supra*. These are the same 58 certified program respondents as 12(g), *supra*.

<sup>41</sup> This respondent is the same national outreach entity in (n)(2), *supra*.

## National Deaf-Blind Equipment Distribution Program

**Number of Annual Responses: 117 responses**

The Commission estimates that respondents will require approximately 16 hours to complete and submit each report, as instructed, with the required certification.

117 responses x 16 hours = 1,872 hours

**Number of Annual Burden Hours: 1,872 hours****Annual “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

1,872 hours for reports x \$84.55 per hour = \$158,277.60

**Total Annual “In-House” Costs = \$158,277.60**

**(p) 47 CFR § 64.6217 – Complaints.**

Informal and formal complaints may be filed against NDBEDP certified programs for alleged violations of the Commission’s NDBEDP rules.

- (p)(1) Informal complaints.** An informal complaint may be transmitted to CGB by any reasonable means (e.g., online, letter, fax, telephone, TTY, e-mail).<sup>42</sup> 47 CFR § 64.6217(a)(1). The complaint must include the name and address of the complainant; the name of the NDBEDP certified program; a statement of facts; the specific relief or satisfaction sought; and the complainant's preferred format or method of response to the complaint by the Commission and the NDBEDP certified program. 47 CFR § 64.6217(a)(2). The Commission will forward informal complaints that satisfy the content requirements to the NDBEDP certified program named in the complaint and call upon the program to satisfy or answer the complaint. 47 CFR § 64.6217(a)(3). After its review, the Commission may consider the matter closed or inform the parties of its review and disposition. 47 CFR § 64.6217(b).

The Commission estimates that two consumers will file informal complaints each year against two certified programs, with each consumer filing against one of the two programs. Each certified program will file a response to the complaint filed against it.<sup>43</sup>

**Number of Annual Respondents: 2**

2 certified programs x 1 response each = 2 responses

**Number of Annual Responses: 2 responses**

The Commission estimates that certified programs will require three hours to prepare each response to an informal complaint.

2 responses x 3 hours each = 6 hours

**Number of Annual Burden Hours: 6 hours****Annual “In-House” Costs:**

<sup>42</sup> The information collection burdens on consumers associated with filing informal complaints have been transferred to OMB Control. No. 3060-0874 (Consumer Complaint Portal). The burdens associated with processing complaints against a certified program remain with this collection.

<sup>43</sup> The certified program respondents are a subset of the certified program respondents in 12(g) *supra*.

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The Commission assumes that certified programs use in-house personnel whose pay is comparable senior level federal employees (GS-15/5) to respond to informal complaints; therefore, the Commission estimates respondents' costs to be about \$84.55 per hour to comply with the requirement.

2 responses x 3 hours each = 6 hours x \$84.55 per hour = \$507.30

**Total Annual "In-House" Costs = \$507.30**

- (p)(2) Formal complaints.** Formal complaints against an NDBEDP certified program may be filed in the manner prescribed under the Commission's rules.<sup>44</sup> 47 CFR § 64.6217(c).

The Commission estimates that one formal complaint and one answer will be filed involving one complainant and one defendant each year.<sup>45</sup> Each of these respondents will be represented by outside counsel.

1 complainant + 1 defendant = 2 respondents

**Number of Respondents: 2**

1 formal complaint + 1 answer = 2 responses

**Number of Responses: 2**

The Commission estimates that each outside counsel will consult for approximately five hours each with the respective complainant and defendant on the preparation and filing of each formal complaint and answer.

(1 formal complaint + 1 answer) x 5 hours consultation = 10 hours

**Number of Burden Hours: 10 hours**

**Annualized "In-House" Costs:**

There is no "in-house" cost to the consumer's time when consulting with counsel. The Commission assumes that the NDBEDP program uses in-house personnel, whose pay is comparable to senior level federal employees (GS-15/5), to consult with counsel; therefore, the Commission estimates the NDBEDP program's costs to be about \$84.55 per hour to comply with the requirement.

10 hours to consult with outside counsel x \$84.55 per hour = \$845.50

**Total Annualized "In-House" Costs = \$845.50**

- (p)(3) Commission inquiries and proceedings.** The Commission may on its own motion conduct such inquiries and hold such proceedings as it may deem necessary. 47 CFR § 64.6215(d). The Commission estimates that it will conduct such inquiries or proceedings with respect to one certified program during the next five years of the NDBEDP.<sup>46</sup>

<sup>44</sup> Formal complaint proceedings are generally resolved on a written record consisting of a complaint, answer, and joint statement of stipulated facts, disputed facts and key legal issues, along with all associated affidavits, exhibits and other attachments. Commission proceedings may also require or permit other written submissions such as briefs, written interrogatories, and other supplementary documents or pleadings.

<sup>45</sup> This estimate is based on the Commission's experience since the inception of the NDBEDP, during which time no formal complaints were filed with the Commission alleging a violation of the Commission's NDBEDP rules. The certified program respondent is a subset of the certified program respondents in 12(g) *supra*.

<sup>46</sup> This estimate is based on the Commission's experience since the inception of the NDBEDP, during which time the Commission did not initiate any such inquiries or proceedings. The respondent is a subset of the certified

## National Deaf-Blind Equipment Distribution Program

1 certified program / 5 years = 0.2 (1 annualized respondent)

**Number of Annualized Respondents: 1**

1 annualized respondent x 1 response = 1 annualized response

**Number of Annualized Responses: 1**

The Commission estimates that the respondent will require approximately 10 hours to respond to such inquiries or proceedings initiated by the Commission.

1 annualized response x 10 hours /5 years = 2 annualized hours

**Number of Annualized Burden Hours: 2 hours**

**Annualized “In-House” Costs:**

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents’ costs to be about \$84.55 per hour to comply with the requirement.

2 hours to respond to a Commission-initiated inquiry or proceeding x \$84.55 per hour = \$169.10

**Total Annualized “In-House” Costs = \$169.10**

**(q) 47 CFR § 64.6219 – Whistleblower protections.**

NDBEDP certified programs shall permit, without reprisal, disclosure to a designated official of the certified program, the NDBEDP Administrator, the TRS Fund Administrator, the Commission, or to any federal or state law enforcement entity, any known or suspected violations of the Communications Act or Commission rules, or any other activity that the reporting person reasonably believes to be unlawful, wasteful, fraudulent, or abusive, or that otherwise could result in the improper distribution of equipment, provision of services, or billing to the TRS Fund. 47 CFR § 64.6219(a). Certified programs must include the NDBEDP whistleblower protections with the information they provide about the program in any employee handbooks or manuals, on their websites, and in other appropriate publications. 47 CFR § 64.6219(b). Because the 56 certified NDBEDP programs have already complied with this one-time obligation, this requirement applies to the an estimated two new entities certified by the Commission each year to replace outgoing entities that relinquish their certifications before the end of their terms.<sup>47</sup>

**Number of Annual Respondents: 2**

Each certified program must include the whistleblower notification in appropriate publications once.

**Number of Annual Responses: 2**

The Commission estimates that respondents will require approximately 2 hours to include the whistleblower notice in appropriate publications.

2 annual responses x 2 hours = 4 annual hours

**Number of Annual Burden Hours: 4 hours**

**Annual “In-House” Costs:**

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program respondents in 12(g) *supra*.

<sup>47</sup> See *supra* at 12(a), (b). These 2 respondents are a subset of the certified program respondents in 12(g).

## National Deaf-Blind Equipment Distribution Program

The Commission assumes that respondents use in-house personnel whose pay is comparable to senior level federal employees (GS-15/5); therefore, the Commission estimates respondents' costs to be about \$84.55 per hour to comply with the requirement.

4 hours to include the whistleblower protections x \$84.55 per hour = \$338.20

**Total Annualized "In-House" Costs = \$338.20**

**Cumulative Number of Respondents: 2,261**

**Cumulative Number of Annual Responses: 6,989**

**Cumulative Annual Burden Hours: 20,890 hours**

**Cumulative Annual "In-House" Costs: \$666,930.40**

		Annual Number of Respondents	Annual Number of Responses	Annual Number of Burden Hours	Annual "In-House" Costs
(a)	Certification to receive funding (initial certification) <sup>48</sup>	included in 12(g)	21	105	\$8,877.75
(b) (1)	Relinquishment of certification	included in 12(g)	2	2	\$169.10
(b)(2)	Certification to receive funding (replacing an outgoing entity)	included in 12(g)	2	10	\$845.50
(c)	Conflicts of interest	included in 12(g)	1	1	\$84.55
(d)	Notification of substantive change	included in 12(g)	1	1	\$84.55
(e)	Suspension or revocation of certification	included in 12(g)	1	2	\$169.10
(f)	Certification transitions	included in 12(g)	2	80	\$6,764
(g)(1)	Verification of disability (Certified Programs)	58	1,000	500	\$42,275
(g)(2)	Verification of disability (Consumers)	1,000	1,000	2,000	\$0
(h)(1)	Verification of income eligibility (Certified Programs)	included in 12(g)	1,000	500	\$42,275
(h)(2)	Verification of eligibility (Consumers)	included in 12(g)	1,000	5,000	\$0
(i)(1)	Reverification (Certified Programs)	included in 12(g) plus 2	1,202	601	\$50,814.55
(i)(2)	Reverification (Consumers)	included in 12(g) and (i)(1)	1,202	6,002	\$0
(j)	Transfer of a recipient's account	included in 12(g) plus 2	20	20	\$1,691
(k)	Consumer attestation	included in 12(g), (i), and (j)	2	4	\$338.20
(l)	Audits	included in 12(g)	59	590	\$49,884.50
(m)	Recordkeeping	included in 12(g)	60	1,408	\$119,046.40

<sup>48</sup> Because the current five-year certification period does not end until June 30, 2027, incumbent programs will not be applying to renew their certifications, and the information referenced in this line will not be collected during the three-year OMB approval period. Therefore, the burdens in this line are not included in the burden totals for this three-year collection period, but are provided for ongoing informational purposes only.

## National Deaf-Blind Equipment Distribution Program

(n)	Reimbursement claims	---	---	---	---
(n)(1)	Election of claim period	included in 12(g)	20	10	\$845.50
(n)(2)	Claim submission	included in 12(g) plus 1	270	2,160	\$182,628
(o)	Reports	included in 12(g) and (n)(2)	117	1,872	\$158,277.60
(p)	Complaints	---	---	---	---
(p)(1)	Informal complaints	included in 12(g) plus 2	2	6	\$507.30
(p)(2)	Formal complaints	included in 12(g) plus 1	2	10	\$845.50
(p)(3)	Commission inquiries and proceedings	included in 12(g)	1	2	\$169.10
(q)	Whistleblower protections	included in 12(g)	2	4	\$338.20
	<b>Total</b>		<b>2,261</b>	<b>6,989</b>	<b>\$666,930.40</b>

13. The following represents the Commission's estimate of the total annual cost burden resulting from the collection of information:

#### 47 CFR § 64.6211(a)(7) – Audits

Each of the 58 certified programs must engage an independent auditor to conduct an annual audit and submit a copy of the annual audit to the NDBEDP Administrator.<sup>49</sup> In addition to the annual audit required of all 58 certified programs, the Commission estimates that one of the 58 certified programs will be required to submit to an additional Commission-directed audit each year. The Commission estimates that the average cost of an audit conducted by an independent auditor is \$3,000.00.

The Commission reimburses certified programs for indirect and direct costs that are necessary for the operation of a program, such as the cost of conducting annual audits.<sup>50</sup> As a result, there should be no outside costs to certified programs for conducting annual audits.

#### 47 CFR § 64.6217(c) – Formal complaints.

The Commission estimates that one formal complaint and one answer will be filed involving one complainant and one defendant each year.<sup>51</sup> Each of these respondents will be represented by outside counsel. The Commission estimates that 10 hours of outside counsel time will be needed to prepare each formal complaint and answer. The Commission estimates that outside counsel will charge approximately \$300.00 per hour.

<sup>49</sup> See *supra* at 12(a) (noting that the Commission certifies a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for different time periods. See 12(b), (c), *supra*.

<sup>50</sup> Administrative costs are indirect and direct costs that do not fit into specifically designated categories, such as outreach or equipment and related services, but are necessary for the operation of a program. For example, this could include costs for management and administrative support personnel, facilities, utilities, supplies, as well as the administration of oversight requirements, including reports, accounting, and audits. See *NDBEDP Permanent Program Order* at para. 165; 47 CFR § 64.6213(c)(8).

<sup>51</sup> This estimate is based on the Commission's experience since the inception of the NDBEDP, during which no formal complaints were filed with the Commission alleging a violation of the Commission's NDBEDP rules.

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(1 formal complaint + 1 answer) x 10 outside counsel hours<sup>52</sup> = 20 hours x \$300.00 per hour = \$6,000.00.

The Commission reimburses certified programs up to 15% of their annual funding allocations to cover indirect and direct costs that are necessary for the operation of a program, such as the cost of responding to formal complaints. As a result, there should be no outside costs to certified programs for preparing an answer to a formal complaint.

The Commission presumes that the complainant in a formal complaint is not a certified program and that the Commission would not reimburse the complainant's costs for outside counsel.

Therefore, the Commission's estimate of the total annual cost burden resulting from the collection of information is as follows:

(1 formal complaint) x 10 outside counsel hours = 10 hours x \$300.00 per hour = \$3,000.00

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

**(b) Total annual cost (operational and maintenance): \$3,000.00**

**(c) Total annual cost requested: \$3,000.00**

14. Estimates of annual costs to the Federal government are as follows:

**47 CFR § 64.6207(a), (b)(1), (c), (d)(1), (e) – Certification to receive funding (initial certification).**

The Commission estimates that no entities will submit any applications for initial certification in the NDBEDP, because applications for new or renewed certification for the period beginning July 1, 2027 through June 30, 2032 will not be collected during the three-year OMB approval period.<sup>53</sup>

The Commission will use GS 15/5 (\$84.55) staff attorneys to review these applications for certification. The Commission estimates that it will require one hour per application for this review.

0 applications annualized x 1 hour = 0 annualized hours x \$84.55 = \$0 annualized cost

**47 CFR § 64.6207(a), (b)(3), (c), (d)(1), (e) – Certification to receive funding (replacing an outgoing entity).**

The Commission estimates that two entities will submit one application each for certification in response to CGB notices about the two entities which relinquished their certifications each year.<sup>54</sup>

The Commission will use GS 15/5 (\$84.55) staff attorneys to review these applications for certification. The Commission estimates that it will require one hour per application for this review.

2 applications x 1 hour = 2 hours x \$84.55 = \$169.10 annual cost

**47 CFR § 64.6207(h) – Suspension or revocation of certification.**

The Commission estimates that it will take action to suspend or revoke one entity's certification during the next five years of the NDBEDP.<sup>55</sup>

<sup>52</sup> Although each outside counsel will consult for approximately five hours respectively with the complainant and defendant on the preparation and filing of each formal complaint and each answer, each outside counsel will work independently for an additional five hours to respectively write the complaint and the answer.

<sup>53</sup> See *supra* at 12(a).

<sup>54</sup> See *supra* at 12(b).

<sup>55</sup> See *supra* at 12(e).



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The Commission will use GS 15/5 (\$84.55) staff attorneys to notify the certified entity, review its response, and make a determination. The Commission estimates that it will require 10 hours to complete each suspension or revocation process.

1 annualized suspension or revocation process x 10 hours / 5 years = 2 annualized hours x \$84.55 = \$169.10 annualized cost

**47 CFR § 64.6211(a)(7) – Audits.**<sup>56</sup>

Each of the 58 certified programs must engage an independent auditor to conduct an annual audit and submit a copy of the annual audit to the NDBEDP Administrator.<sup>57</sup> In addition, the Commission estimates that one certified program will be required to submit to an additional Commission-directed audit each year.

The Commission will use GS 15/5 (\$84.55) staff attorneys to review the annual audit reports and material requested during Commission-directed audits. The Commission estimates that it will require one hour to review each annual audit report submitted and five hours to review the material submitted in response to the Commission-directed audits.

(58 annual audit reports x 1 hour) + (1 Commission-directed audits x 5 hours) = 63 hours x \$84.55 = \$5,326.65 annual cost

**47 CFR § 64.6211(a)(8)-(9) – Recordkeeping.**

The Commission estimates that two certified programs will be required to submit Commission-requested documentation of compliance with NDBEDP requirements each year.<sup>58</sup>

The Commission will use GS 15/5 (\$84.55) staff attorneys to review the requested documentation. The Commission estimates that it will require two hours to review the documentation submitted in response to each request.

2 requests for documentation x 2 hours = 4 hours x \$84.55 = \$338.20 annual cost

**47 CFR § 64.6213 – Reimbursement claims.**

For each reimbursement period elected, a certified program will submit a claim for reimbursement. Certified programs must submit supplemental information and documentation, as requested by the NDBEDP Administrator and the TRS Fund Administrator, when necessary to verify particular claims. In addition, the entity selected to conduct national outreach will submit claims for reimbursement. The Commission estimates that it will review and process 270 reimbursement claims annually.<sup>59</sup>

The Commission will use GS 15/5 (\$84.55) staff attorneys to review the reimbursement claims and requested documentation. The Commission estimates that it will require two hours to review and process each reimbursement claim.

270 reimbursement claims x 2 hours = 540 hours x \$84.55 = \$45,657 annual cost

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<sup>56</sup> See *supra* at 12(l).

<sup>57</sup> See *supra* at 12(a) (noting that the Commission certifies a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for different time periods. See 12(b), (c), *supra*.

<sup>58</sup> See *supra* at 12(m).

<sup>59</sup> See *supra* at 12(n)(2).

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**47 CFR § 64.6215 – Reports.**<sup>60</sup>

Every six months, each of the 58 certified programs must submit data to the Commission about their NDBEDP activities.<sup>61</sup> Reports must be submitted in accordance with instructions issued by the NDBEDP Administrator. In addition, the entity selected to conduct national outreach will submit a summary and analysis of national outreach activities on an annual basis. The Commission will review the data submitted in the reports as part of its program oversight and performance evaluation.

The Commission will use GS 15/5 (\$84.55) staff attorneys to review the data submitted in the reports. The Commission estimates that it will require one hour to review each report.

(58 programs x 2 semiannual reports) + (1 national outreach report) = 117 reports x 1 hour = 117 hours x \$84.55 = \$9,892.35 annual cost

**47 CFR § 64.6217 – Complaints.**

**Informal complaints.** The Commission will forward informal complaints that satisfy the content requirements to the NDBEDP certified program named in the complaint. After reviewing the certified program's response, the Commission may consider the matter closed or inform the parties of its review and disposition. The Commission estimates that two consumers will file informal complaints each year.<sup>62</sup>

The Commission will use GS 15/5 (\$84.55) staff attorneys to review each complaint and each certified program's response. The Commission estimates that it will require five hours to process each informal complaint.

2 informal complaints x 5 hours each = 10 hours x \$84.55 = \$845.50 annual cost

**Formal complaints.** The Commission estimates that one formal complaint and one answer will be filed involving one complainant and one defendant each year.<sup>63</sup>

The Commission will use GS 15/5 (\$84.55) staff attorneys to review each complaint and each certified program's response. The Commission estimates that it will require five hours to review each formal complaint and answer.

(1 formal complainant + 1 answer) = 2 responses x 5 hours = 10 hours x \$84.55 = \$845.50 costs per year

**Commission inquiries and proceedings.** The Commission estimates that it will, on its own motion, conduct inquiries or proceedings with respect to one certified program during the next five years of the NDBEDP.<sup>64</sup>

The Commission will use GS 15/5 (\$84.55) staff attorneys to conduct these inquiries and proceedings. The Commission estimates that it will require 10 hours to complete each of these inquiries and proceedings.

<sup>60</sup> See *supra* at 12(o).

<sup>61</sup> See *supra* at 12(a) (noting that the Commission certifies a single entity for each of the 56 jurisdictions served by the NDBEDP to receive reimbursement from the TRS Fund for NDBEDP activities). In addition, because 2 certifications, on average, are relinquished, and replacement certifications are granted each year for 2 of the 56 jurisdictions, there are 2 certified programs in each of 2 jurisdictions each year, even though they are certified for different time periods. See 12(b), (c), *supra*.

<sup>62</sup> See *supra* at 12(p)(1).

<sup>63</sup> See *supra* at 12(p)(2).

<sup>64</sup> See *supra* at 12(p)(3).

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1 annualized inquiry or proceeding x 10 hours / 5 years = 2 hours x \$84.55 = \$169.10 annualized costs

**Total Cost to Federal Government: \$63,412.50**

15. The Commission has re-evaluated the existing burdens associated with this information collection since the last time this information collection was reviewed and approved by OMB and, therefore, makes the following adjustments:
  - (a) The Commission's estimate for number of responses has increased by **+3,183** responses;
  - (b) The Commission's estimate for the total annual burden hours has increased by **+13,097** hours; and
  - (c) Because the annual cost is now assessed on an annual basis instead of annualized, as previously estimated, the annual cost has increased by **+\$2,400**.
16. The Commission may publish aggregate information on its website about complaints, including complaints that allege violations of the Commission's rules governing the NDBEDP, and will comply with all valid FOIA requests with regard to information sought pertaining to disability-related accessibility complaints.
17. The Commission is not seeking approval not to display the expiration date for OMB approval of the information collection because the collection does not include a form number.
18. 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 any statistical methods.