

September 2023

## 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. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

The Commission is seeking an extension of the information collection, 3060-0057, "Application for Equipment Authorization, FCC Form 731" in order to obtain the full three-year clearance from the Office of Management and Budget (OMB).

The Commission proposed to modify OMB Control Number 3060-0057, wherein the Commission requires applicants for equipment authorization to provide a written and signed certification that the subject radio frequency devices demonstrate compliance to specific technical and other requirements through testing and review of data by a certification body. The Commission added new requirements to this collection: (1) that the applicant provide a written and signed certification that the equipment for which the applicant seeks equipment authorization through certification is not "covered" equipment on the Covered List established pursuant to section 1.50002 of the Commission's rules, and that the applicant is not identified on the Covered List, along with the full name, mailing address and physical address (if different from mailing address), email address, and telephone number of the applicant for certification; (2) a written and signed certification designating an agent located in the United States for the purpose of accepting service of process on behalf of the applicant, along with the full name, mailing address and physical address (if different from mailing address), email address, and telephone number of the designated agent, and the applicant and agent's acknowledgment of their consent obligation to receive service of process; and (3) each entity named on the Covered List as producing covered equipment, as defined in section 1.50002 of the Commission's rules, provide to the Commission the following information: the full name, mailing address or physical address (if different from mailing address), e-mail address, and telephone number of each of that named entity's associated entities (e.g., subsidiaries or affiliates) identified on the Covered List.

On November 11, 2022, the Commission adopted a Report and Order, Order and Further Notice of Proposed Rulemaking in ET Docket No. 21-232 and EA Docket No. 21-233, FCC 22-84, "*Protecting against National Security Threats to the Communications Supply Chain through the Equipment Authorization Program; Protecting against National Security Threats to the Communications Supply Chain through the Competitive Bidding Program.*" The Commission amended its rules to protect the nation's telecommunications supply chain from equipment that poses a security risk to the United States or a threat to the security and safety of United States persons. Specifically, the Commission amended the equipment authorization procedures to prohibit authorization of equipment that has been identified on the Commission's "Covered List" and prohibit the marketing and importation of such equipment in the United States. Pursuant to Section 1.50002 of the Commission's rules, the "Covered List" is a list of communications equipment and services that are deemed to pose an unacceptable risk to national security. The Commission's Public Safety and Homeland Security Bureau maintains the Covered List at <https://www.fcc.gov/supplychain/coveredlist>. The Commission's new rules and procedures comply with Congress's directive in the Secure Equipment Act of 2021 (Pub. L. No. 117-55, 135 Stat. 423 (2021)) to adopt such rules within one year of that Act's enactment. Accordingly, the Commission adopted rule sections as follows:

*Revised Information Collection Requirements:*

**§ 2.903 Prohibition on authorization of equipment on the Covered List.**

\* \* \* \* \*

(b) Each entity named on the Covered List as producing covered communications equipment, as established pursuant to § 1.50002 of this chapter, must provide to the Commission the following information: the full name, mailing address or physical address (if different from mailing address), e-mail address, and telephone number of each of that named entity's associated entities (e.g., subsidiaries or affiliates) identified on the Covered List as producing covered communications equipment.

(1) Each entity named on the Covered List as producing covered communications equipment must provide the information described in paragraph (b) of this section no later than 30 days after effective date;

(2) Each entity named on the Covered List as producing covered communications equipment must provide the information described in paragraph (b) of this section no later than 30 days after the effective date of each updated Covered List; and

(3) Each entity named on the Covered List as producing covered communications equipment must notify the Commission of any changes to the information described in paragraph (b) of this section no later than 30 days after such change occurs.

\* \* \* \* \*

**§ 2.911 Application requirements.**

\* \* \* \* \*

(d) \*\*\*

(5) The applicant shall provide a written and signed certification that, as of the date of the filing of the application with a TCB:

(i) The equipment for which the applicant seeks equipment authorization through certification is not prohibited from receiving an equipment authorization pursuant to § 2.903; and

(ii) An affirmative or negative statement as to whether the applicant is identified on the Covered List, established pursuant to § 1.50002 of this chapter, as an entity producing covered communications equipment.

(6) If the Covered List established pursuant to § 1.50002 of this chapter is modified after the date of the written and signed certification required by paragraph (d)(5) of this section but prior to grant of the authorization, then the applicant shall provide a new written and signed certification as required by paragraph (d)(5) of this section.

(7) The applicant shall designate an agent located in the United States for the purpose of accepting service of process on behalf of the applicant.

(i) The applicant shall provide a written certification:

(A) Signed by both the applicant and its designated agent for service of process, if different from the applicant;

(B) Acknowledging the applicant's consent and the designated agent's obligation to accept service of process in the United States for matters related to the applicable equipment, and at the physical U.S. address and e-mail address of its designated agent; and

(C) Acknowledging the applicant's acceptance of its obligation to maintain an agent for service of process in the United States for no less than one year after either the grantee has permanently terminated all marketing and importation of the applicable equipment within the U.S., or the conclusion of any Commission-related administrative or judicial proceeding involving the equipment, whichever is later.

\* \* \* \* \*

**§ 2.929 Changes in name, address, ownership or control of grantee.**

\* \* \* \* \*

(c) Whenever there is a change in the name and/or address of the grantee of certification, or a change in the name, mailing address or physical address (if different from mailing address), e-mail address, or telephone number of the designated agent for service of process in the United States, notice of such change(s) shall be submitted to the Commission via the Internet at <https://www.fcc.gov/eas> within 30 days after the beginning use of the new name, mailing address or physical address (if different from mailing address), e-mail address, or telephone number and include:

(1) A written and signed certification that, as of the date of the filing of the notice, the equipment to which the change applies is not prohibited from receiving an equipment authorization pursuant to § 2.903;

(2) An affirmative or negative statement as to whether the applicant is identified on the Covered List, established pursuant to § 1.50002 of this chapter, as an entity producing covered communications equipment; and

(3) The written and signed certifications required under § 2.911(d)(7).

(d) In the case of transactions affecting the grantee, such as a transfer of control or sale to another company, mergers, or transfer of manufacturing rights, notice must be given to the Commission via the Internet at <https://apps.fcc.gov/eas> within 60 days after the consummation of the transaction.

(1) The notice described in the introductory text to this paragraph (d) must include:

(i) A written and signed certification that, as of the date of the filing of the notice, the equipment to which the change applies is not prohibited from receiving an equipment authorization pursuant to [§ 2.903](#);

(ii) An affirmative or negative statement as to whether the applicant is identified on the Covered List, established pursuant to [§ 1.50002 of this chapter](#), as an entity producing covered communications equipment; and

(iii) The written and signed certifications required under [§ 2.911\(d\)\(7\)](#).

(2) Depending on the circumstances in each case, the Commission may require new applications for certification. In reaching a decision, the Commission will consider whether the acquiring party can adequately ensure and accept responsibility for continued compliance with the regulations. In general, new applications for each device will not be required. A single application for certification may be filed covering all the affected equipment.

**§ 2.932 Modification of equipment.**

\* \* \* \* \*

(e) All requests for permissive changes shall be accompanied by:

(1) A written and signed certification that, as of the date of the filing of the request for permissive change, the equipment to which the change applies is not prohibited from receiving an equipment authorization pursuant to [§ 2.903](#);

(2) An affirmative or negative statement as to whether the applicant is identified on the Covered List, established pursuant to [§ 1.50002 of this chapter](#), as an entity producing covered communications equipment; and

(3) The written and signed certifications required under [§ 2.911\(d\)\(7\)](#).

**§ 2.938 Retention of records.**

\* \* \* \* \*

(b) For equipment subject to Supplier's Declaration of Conformity, the responsible party shall, in addition to the requirements in paragraph (a) of this section, maintain the following records:

(1) Measurements made on an appropriate test site that demonstrates compliance with the applicable regulations in this chapter. The record shall:

\* \* \* \* \*

(2) A written and signed certification that, as of the date of first importation or marketing of the equipment, the equipment for which the responsible party maintains Supplier's Declaration of Conformity is not produced by any entity identified on the Covered List,

established pursuant to § 1.50002 of this chapter, as producing covered communications equipment.

\* \* \* \* \*

**§ 2.939 Revocation or withdrawal of equipment authorization.**

d) Notwithstanding other provisions of section 2.939, to the extent a false statement or representation is made in the equipment certification application (see §§ 2.911(d)(5)-(7), 2.932, 2.1033, and 2.1043), or in materials or responses submitted in connection therewith, that the equipment in the subject application is not prohibited from receiving an equipment authorization pursuant to § 2.903, and the equipment certification or modification was granted, if the Commission subsequently determines that the equipment is covered communications equipment, the Commission will revoke such authorization.

(1) If the Office of Engineering and Technology and the Public Safety and Homeland Security Bureau determine that particular authorized equipment is covered communications equipment, and that the certification application for that equipment contained a false statement or representation that the equipment was not covered communications equipment, they will provide written notice to the grantee that a revocation proceeding is being initiated and the grounds under consideration for such revocation.

(2) The grantee will have 10 days in which to respond in writing to the reasons cited for initiating the revocation proceeding. The Office of Engineering and Technology and the Public Safety and Homeland Security Bureau will then review the submissions, request additional information as may be appropriate, and make their determination as to whether to revoke the authorization, providing the reasons for such decision.

**§ 2.1033 Application for Certification.**

\* \* \* \* \*

(b) \*\*\*

(1) The full name, mailing address and physical address (if different from mailing address), email address, and telephone number of:

- (i) the applicant for certification; and
- (ii) the applicant’s agent for service of process in the United States for matters relating to the authorized equipment.

(2) A written and signed certification that, as of, the filing date of the notice, the equipment to which the change applies is not prohibited from receiving an equipment authorization pursuant to § 2.903;

(3) An affirmative or negative statement as to whether the applicant is identified on the Covered List, established pursuant to § 1.50002 of this chapter, as an entity producing covered communications equipment; and

(4) The written and signed certifications required by § 2.911(d)(7).

\* \* \* \* \*

(c) \*\*\*

(1) The full name, mailing address and physical address (if different from mailing address), email address, and telephone number of:

(i) the applicant for certification; and

(ii) the applicant's agent for service of process in the United States for matters relating to the authorized equipment.

(2) A written and signed certification that, as of the filing date of the notice, the equipment to which the change applies is not prohibited from receiving an equipment authorization pursuant to § 2.903.

(3) An affirmative or negative statement as to whether the applicant is identified on the Covered List, established pursuant to § 1.50002 of this chapter, as an entity producing covered communications equipment.

(4) The written and signed certifications required by § 2.911(d)(7).

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**§ 2.1043 Changes in certificated equipment.**

\* \* \* \* \*

(b) \*\*\*

(2) A Class II permissive change includes those modifications which degrade the performance characteristics as reported to the Commission at the time of the initial certification. Such degraded performance must still meet the minimum requirements of the applicable rules.

(i) When a Class II permissive change is made by the grantee, the grantee shall provide:

\* \* \*

(B) A written and signed certification expressly stating that, as of the filing date, the equipment subject to the permissive change is not prohibited from receiving an equipment authorization pursuant to § 2.903;

(C) An affirmative or negative statement as to whether the applicant is identified on the Covered List, established pursuant to § 1.50002 of this chapter, as an entity producing covered communications equipment;

(D) The full name, mailing address and physical address (if different from mailing address), email address, and telephone number of the grantee's designated agent for service of process in the United States for matters relating to the authorized equipment; and

(E) The written and signed certifications required § by 2.911(d)(7).

\* \* \* \* \*

(3) A Class III permissive change includes modifications to the software of a software defined radio transmitter that change the frequency range, modulation type or maximum output power (either radiated or conducted) outside the parameters previously approved, or that change the circumstances under which the transmitter operates in accordance with Commission rules.

(i) When a Class III permissive change is made, the grantee shall provide:

\* \* \*

(B) A written and signed certification expressly stating that, as of the date of the filing, the equipment subject to the permissive change is not prohibited from receiving an equipment authorization pursuant to § 2.903;

(C) An affirmative or negative statement as to whether the applicant is identified on the Covered List, established pursuant to § 1.50002 of this chapter, as an entity producing covered communications equipment;

(D) The full name, mailing address and physical address (if different from mailing address), email address, and telephone number of the grantee's designated agent for service of process in the United States for matters relating to the authorized equipment; and

(E) The written and signed certifications required by § 2.911(d)(7).

\* \* \* \* \*

The information submitted in this collection will come from the manufacturer of the device, the applicant for certification and/or the responsible party providing a written and signed certification subject to the Commission rules. However, it is possible that a very small number of individuals may also submit information. Thus, the Commission has prepared a Privacy Impact Assessment statement published at <https://www.fcc.gov/general/privacy-act-information>.

The Commission rules require manufacturers of certain radio frequency (RF) equipment<sup>1</sup> to obtain equipment authorization approval prior to marketing their equipment. Information on the procedures for equipment authorization applications can be obtained from the Internet at:

<sup>1</sup> See 47 CFR § 2.803. The kinds of equipment that are being marketed include devices such as cellular telephones, tablets, remote control devices and scanning devices. However, the types of equipment that are manufactured may change in response to changing technologies and new spectrum allocations made by the Commission.

<https://www.fcc.gov/engineering-technology/laboratory-division/general/equipment-authorization> and Appendix A of this statement provides the current list of Commission rule parts referencing equipment certification. Under the equipment authorization rules, there are two types of authorization processes: Certification and Suppliers Declaration of Conformity (SDoC). This information collection is specific for equipment subject to Certification.<sup>2</sup> Applications for Certification are submitted on FCC Form 731. The Commission uses the information gathered on the FCC Form 731 to determine compliance of the proposed equipment with the Commission's rules.

- I. Since April 1998, the Commission has offered electronic submittal to the Commission of the FCC Form 731 and attachments. By rulemaking on July 8, 2004, the Commission started requiring electronic filing of this information.<sup>3</sup> The FCC has determined that electronic submission of applications is the most efficient means of facilitating application entry, corresponding with an applicant, providing information on application status, and providing information on authorized equipment to the public. All the information required in this collection is filed on FCC Form 731 at <https://apps.fcc.gov/eas>.

The Commission believes that, because equipment authorization applications are submitted by TCBs, who must be on the cutting edge of technology to perform their work. The Commission believes that they are therefore well equipped to make maximum use of electronic media, the Internet to file an application, and provide written and signed certification information with the Commission.

The Commission proposed to modify OMB Control Number 3060-0057, which most recently received OMB approval after the Commission released the *Spectrum Horizons First Report and Order*.<sup>4</sup> In the proposed modification, the applicant shall provide a written and signed certification that, as of the date of the filing of the application, the equipment for which the applicant seeks equipment authorization through certification is not “covered” equipment on the Covered List that has been established pursuant to section 1.50002 of the Commission’s rules. The Commission’s Public Safety and Homeland Security Bureau maintains the Covered List at <https://www.fcc.gov/supplychain/coveredlist>. Thus, we believe that written and electronic filing does not impose an undue burden on such applicants.

The collection is authorized under sections 4(i), 301, 302, 303, 309(j), 312, and 316 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 301, 302a, 303, 309(j), 312, 316, and the Secure Equipment Act of 2021, Pub. L. 117-55, 135 Stat. 423.

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

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<sup>2</sup> The Commission proposed that any equipment produced or provided by any of the entities (or their respective subsidiaries or affiliates) that produce or provide “covered” equipment, as specified on the Covered List, can no longer be authorized pursuant to the Commission’s SDoC processes, and the equipment of any of these entities would have to be processed pursuant to the Commission’s certification rules and processes.

<sup>3</sup> Modification of *Parts 2 and 15 of the Commission’s Rules for Unlicensed Devices and Equipment Approval*, ET Docket No. 03-201, Report and Order, 19 FCC Rcd 13539 (2004).

<sup>4</sup> *Spectrum Horizons*, ET Docket No. 18-2, First Report and Order, 34 FCC Rcd 1605 (2019).



- 2. Indicate by how, by whom and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.**

The information will be used by the Commission to fulfill its statutory mandate under the Secure Equipment Act of 2021, Pub. L. No. 117-55, 135 Stat. 423 (2021) to implement prohibitions in its equipment authorization program that will protect the nation's telecommunications systems from equipment that has been determined to pose an unacceptable risk to national security or the safety of U.S. persons.

- 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.**

The collection of this information will occur via filing using electronic submission on FCC Form 731 (available for download at, e.g., <https://www.ultratech-labs.com/download-client-testing-forms>) and/or the FCC's Equipment Authorization System (EAS) (<https://apps.fcc.gov/eas>).

Since April 1998, the Commission has offered electronic submittal to the Commission of the FCC Form 731 and attachments. By rulemaking on July 8, 2004, the Commission started requiring electronic filing of this information.<sup>5</sup> The FCC has determined that electronic submission of applications is the most efficient means of facilitating application entry, corresponding with an applicant, providing information on application status, and providing information on authorized equipment to the public.

Given that equipment authorization applications are submitted by FCC-recognized Telecommunications Certification Bodies (TCBs), who must be on the cutting edge of technology to perform their work, the Commission believes that they are therefore well equipped to make maximum use of electronic media and the Internet to file an application, and provide written and signed certification information with the Commission. Thus, we believe that these are the least burdensome methods to collect this information.

- 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.**

No other entity is believed to require or to possess the subject information.

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

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<sup>5</sup> *Modification of Parts 2 and 15 of the Commission's Rules for Unlicensed Devices and Equipment Approval*, ET Docket No. 03-201, Report and Order, 19 FCC Rcd 13539 (2004).

The Commission believes that any small entities submitting equipment authorization applications are on the cutting edge of technology to perform their work. Therefore, the Commission believes that they are well equipped to make maximum use of electronic media and the Internet to file an application, and provide written and signed certification information with the Commission. Thus, we believe that these methods of information collection do not impose an undue burden on such applicants.

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

The information in this collection is necessary to determine, prior to authorization, the source of equipment potentially posing unacceptable risk to the national security of the United States or the security and safety of the United States persons. The information in this collection also will be used for enforcement purposes.

**7. Explain any special circumstances that cause an information collection to be conducted in a manner: requiring respondents to report information to the agency more often than quarterly; requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it; requiring respondents to submit more than an original and two copies of any document; requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

These are ongoing requirements that apply to any changes to the reported information and any modifications to the equipment.

**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.**

The Commission initiated a 60-day public comment period which appeared in the Federal Register on July 3, 2023 (88 FR 42721) seeking comments from the public on the information collection requirements contained in this collection.

The Commission received two comments from Mr. Aaron Ahern on September 1, 2023 pursuant to this notice. His comments does not raise any issues or concerns associated with the information collection requirements contained in this Federal Register Notice. Instead, Mr. Ahern's comments focuses more on a veterans contract he's bound to and employment opportunities due to a disruption in his life.

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

No payments or gifts are given to respondents.

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

Minimal exemption from the Freedom of Information Act (5 U.S.C. 552(b)(4) and FCC Rules under § 0.457(d)) is granted for trade secrets which may be submitted as attachments to the application Form 731. No other assurances of confidentiality are provided to respondents.

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

No sensitive information is required for this collection.

**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.**

For OMB Control Number 3060-0057, the Commission has calculated the estimated burden for 24,873 responses from 11,305 respondents annually as follows:

- (a) 3,002 parties who obtain a new grantee code to file new applications for Certification in the future.
- (b) 40 TCBs to review the RF equipment authorization requests on behalf of the FCC.
- (c) One TF Accreditation Body or TCB Accreditation Body updating their information.
- (d) 50 new TFs requesting recognition.
- (e) 200 TFs updating their information.
- (f) 7,010 RF equipment and device manufacturers or importer who submit applications only to the TCBs for review and approval.
- (g) 1,002 parties submitting inquiries for guidance on the equipment authorization requirements (including Certification) or request for help with applications for Certification.

**Total Number of Respondents:  $3,002 + 40 + 1 + 50 + 200 + 7,010 + 1,002 = 11,305$**

The respondents file several responses and applications for Certification.

- (a) 3,002 new grantee code filings.
- (b) 16,515 applications for Certification filed by TCBs on behalf of grantees and reviewed by the TCBs for determination.
- (c) 250 applications from TFs for renewal or new applications.
- (d) 1,000 surveillance reviews and reports maintained by TCBs.
- (e) 1 TF Accreditation Body or TCB Accreditation Body
- (f) 100 market surveillance requests by the FCC.
- (g) 4,005 inquiries submitted by parties seeking guidance on measurement procedures.

**Total Number of Responses:  $3,002 + 16,515 + 250 + 1,000 + 1 + 100 + 4,005 = 24,873$**

The Commission estimates the total annual hourly burden will increase by 15 minutes for applicants to provide a written statement that the equipment for which it seeks equipment authorization through certification is not “covered” equipment on the Covered List.

The Commission estimates the following burden based on the type of information collected:

- (a) The amount of time required to initially register with the Commission for a grantee code is 0.1 hours, resulting in a total time of 300 hours of annual burden for 3,002 new applicants;
- (b) The amount of time required for an equipment authorization grantee to assure compliance of the equipment with the applicable standards is 0.1 hours, resulting in a total time of 1,131 hours of annual burden for 11,305 applicants;
- (c) The amount of time that the RF equipment manufacturers will require to complete an application including testing is estimated to be 10.25 hours averaged over all types of applications resulting in annual burden of 169,279 hours for 16,515 applications;
- (d) The TFs and TCBs charge for their services to equipment manufacturers for testing the devices and reviewing the applications. The TFs and TCBs have to maintain their records for accreditation purposes. The Commission estimates that this record keeping will result in average burden of 40 hours for 250 TFs, 40 TCBs and 1 TF Accreditation Body or TCB Accreditation Body for a total of 11,640 hours;
- (e) The amount of time to submit an inquiry to the Commission and responding to any follow-up is estimated as 0.5 hours for a total of 2,003 hours of annual burden for the 4,005 inquirers;

- (f) The time spent by TCB to perform market surveillance is estimated as 20 hours on average for a device resulting in an annual burden of 20,000 hours for 1,000 surveillance reviews and reports; and,
- (g) The time spent by TCBs and Test Firms to maintain and update their accreditation is estimated as 10 hours per renewal for a total burden of 2,510 hours for 251 entities.

**Total Annual Hour Burden:  $300 + 1,131 + 169,279 + 11,640 + 2,003 + 20,000 + 2,510 = 206,863$**

**13. Provide estimate for the total annual cost burden to respondents or recordkeepers resulting from the collection of information (Do not include the cost of any hour burden shown in items 12 and 14).**

The Commission rules require that all applications for certification must be tested for compliance by a TF and the application should be reviewed by TCBs for submission to the Commission for final disposal. These companies charge the applicants for their services and recover the costs incurred in performing the functions.

- a) Capital and start-up costs include the cost for hardware and software for providing the information to the Commission. The Commission estimates that all the entities in their routine business operation maintain systems that will support the information collection. The TFs and TCBs are expected to be in the business of conducting tests and invest in equipment to support testing of equipment. The grantees are required to maintain the information associated with their products and may store information in any format they choose.

The TCBs are required to collect the information specifically required by this information collection, and may collect the information in any form they choose. However, it is expected that they likely will invest in systems to make their process efficient. The Commission expects that the average cost attributable to information collection to be about \$ 10,000 per TCB for a total cost of \$ 400,000 for 40 TCBs.

- b) Overhead and maintenance costs include the cost for preparation of a test report demonstrating compliance of equipment proposed for marketing with the Commission's technical standards:
- (i) A new grantee is required to pay \$ 70 fee to obtain a new grantee code. The Commission estimates 3,002 new applicants annually. This fee is only required the first time an applicant requests a grantee code. The cost for grantees is:
- $3,002 \text{ applications} \times \$ 70 \text{ per application} = \$ 210,140$**
- (ii) The amount charged by a TF for testing a device depends on the complexity of tests involved. It is estimated that this cost may vary from \$ 500 for a very simple device to \$ 50,000 for a complex device. Based on the review of past applications the Commission estimates that on average TFs will charge \$ 2,000 per certification application for testing for compliance related to information collection for certification. Therefore, the total annual cost for

applicants for testing is estimated to be:

$$16,515 \text{ applications} \times \$ 2,000/\text{per application} = \$ 33,030,000$$

(iii) Additional cost to an applicant includes the cost of filing with a TCB. The cost for a TCB review can vary based on the device complexity. The Commission estimates the average cost per application as \$ 1,000:

$$16,515 \text{ applications} \times \$ 1,000/\text{per application} = \$ 16,515,000$$

Total Annual costs for grantee code and certification applications:

$$\$ 210,140 + \$ 33,030,000 + \$ 16,515,000 = \$ 49,755,140$$

(c) **Total Annual and Overhead Costs:** \$ 400,000 + \$ 49,755,140 = \$ 50,155,140

**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), any other expenses that would not have been incurred without this collection of information.**

The Commission expects that of the 24,873 applications filed:

(a) Approximately 7,357 applications will be filed with the Commission consisting of 3,002 new grantee applications, 250 TF related applications, 4,005 inquiries and 100 surveillance related applications.

The Commission estimates that two groups of Commission staff will be involved in processing or review of parts of the application or surveillance.

(i) GS-7, Step 8 - Applications Examiners, who earn \$ 31.38 per hour, and

(ii) GS-14, Step 7 - Electronics Engineer, who earn \$ 76.11 per hour.

Of the 7,357 applications filed with the Commission, 3,002 applications for grantee code applications will be processed by the electronic system and will not require any staff processing time.

The 250 applications filed by the TFs will require an administrative review by GS-7 staff. It is estimated that each submission will require on average one hour per application review for a total of 250 hours of review. The total cost for staff review of TFs is expected to be:

$$250 \text{ applications} \times \text{one hour per application} \times \$ 31.38 \text{ per hour} = \$ 7,845$$

The remaining 4,105 applications and reviews will be processed by GS-14 staff. It is expected that

on average this review will require on average 3 hours per application for a total of 12,315 hours of review. The total cost for processing the application is expected to be:

**4,105 applications x 3 hours/review x \$ 76.11 per hour = \$ 937,295 (round up)**

The cost to Federal Government for staff time: **\$ 7,845 + \$ 937,295 = \$ 945,140**

(b) Approximately 17,515 applications consisting of 16,515 applications for certification and 1,000 surveillance requests will be filed with the 40 TCBs, acting on behalf of the Commission. These applications will be processed by the electronic system. The Commission estimates that the cost to the Federal Government for software and hardware to maintain these records is approximately \$100 per application:

The system cost to the Federal Government: **17,515 applications x \$ 100 = \$ 1,751,500**

**Total Cost to Federal Government: \$ 945,140 + \$ 1,751,500 = \$ 2,696,640**

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

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

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

The information that is submitted on FCC Form 731 is used to determine the compliance of equipment with applicable Commission technical standards and other requirements.

- (a) Some of the information submitted in the filings is held confidential and not published.
- (b) The non-confidential application information is available on the FCC website through various search mechanisms.
- (c) The searches may be viewed by accessing <https://apps.fcc.gov/eas>.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The Commission is requesting continued OMB approval to waive the requirement that we display the OMB expiration date on FCC Form 731 and related webpages. Granting this waiver will allow the Commission to continue using the electronic version of the form and webpages without update, upon re-approval of the form. An edition date will be used in lieu of the OMB expiration date. Finally, OMB control numbers and expiration dates for the Commission's information collection requirements assigned by OMB pursuant to the Paperwork Reduction Act of 1995, Public Law 104-13 can be found at <https://www.reginfo.gov/public/do/PRAMain> See 47 CFR § 0.408.

**18. Explain any exceptions to the Certification Statement.**

There are no exceptions to the Certification Statement.

**B. Collections of Information Employing Statistical Methods.**

This information collection does not employ statistical methods.



**Appendix A****Rule Parts Referencing Equipment Certification**

| <b>Rule Sections<br/>(47 CFR)</b>  | <b>Reference</b>   |
|--|--|
| 2.901, (rev)<br>2.903, (add)<br>2.907, (add)<br>2.911, (rev/add)<br>2.929, (add/rev)<br>2.932, (add)<br>2.938, (rev)<br>2.939, (rev/add)<br>2.1033, (rev/add)<br>2.1043, (rev) | Applications   |
| 11.34  | EAS Equipment acceptability for filing   |
| 15.201   | Equipment Authorization Requirements   |
| 15.258   | Operation in the bands 116-123 GHz, 174.8-182 GHz, 185-190 GHz and 244-246 GHz                         |
| 18.203   | Equipment Authorization  |
| 20.19(b)   | HAC Requirements   |
| 20.21(e)(2)  | Signal Boosters  |
| 22.377   | Certification of transmitters  |
| 24.51  | Equipment Authorization (including 24.52 RF Hazards)   |
| 25.129   | Equipment Authorization for portable earth-station transceivers  |
| 27.51  | Equipment Authorization (including 27.52 RF Safety)  |
| 30.201   | Equipment Authorization (30.201(c) refers to verification)   |
| 74.451   | Certification of equipment - remote pickup   |
| 74.750   | Low Power TV (type notified)   |
| 74.851   | Certification of equipment – LPAS  |
| 80.203   | Authorization of transmitters - maritime services (special manual or other type approval requirements) |
| 87.147   | Authorization of equipment - Aviation  |
| 90.203   | Certification required - Private land mobile radio   |
| 95.335   | Operation of non-certified transmitters prohibited - Personal Radio Service                            |
| 95.361   | Transmitter Certification - Personal Radio Service   |
| 95.561   | FRS transmitter certification  |
| 95.761   | RCRS transmitter certification   |
| 95.961   | CBRS transmitter certification   |

|         |   |
|---------|---|
| 95.1761 | GMRS transmitter certification                                |
| 95.1951 | Certification - 200 MHz                                       |
| 95.2161 | LPRS transmitter certification                                |
| 95.2361 | WMTS transmitter certification                                |
| 95.2561 | MedRadio transmitter certification                            |
| 95.2761 | MURS transmitter certification                                |
| 95.2961 | PLB and MSLD transmitter certification                        |
| 95.3161 | OBU transmitter certification                                 |
| 95.3361 | Certification - 76-81GHz Radar service                        |
| 96.49   | Equipment Authorization CBRS                                  |
| 97.315  | Certification of external RF power amplifiers - Amateur Radio |