

## SUPPORTING STATEMENT

### A. Justification:

1. On January 8, 2013, the Federal Communications Commission adopted a Report and Order in WT Docket No. 10-177, amending its rules on Commercial Radio Operator licensees for maritime and aviation radio stations. Of those rules adopted, some have recordkeeping and/or reporting requirements for holders of commercial radio licenses and for Commercial Operator License Examination Managers (COLEMs), who administer commercial radio operator license examinations (examination Elements) across the United States.

Applicants for a Commercial Radio Operator license must file FCC Form 605. Additionally, applicants for the maritime and aviation radio stations licenses must submit the following, if applicable:

Reporting/Recordkeeping Requirements for which continued Office of Management and Budget (OMB) approval is sought:

Pursuant to § 13.9(c), the Commission requires that each application for a new General Radiotelephone Operator License, Marine Radio Operator Permit, Radiotelegraph Operator License, Ship Radar Endorsement, GMDSS Radio Operator's License, Restricted GMDSS Radio Operator's License, GMDSS Radio Maintainer's License, or GMDSS Radio Operator/Maintainer License must be accompanied by the required fee, if any, and submitted under § 1.913. The application must include an original Proof-of-Passing Certificate (PPC(s)) from a COLEM(s) showing that the applicant has passed the necessary examination Element(s) within the previous 365 days of when the application was filed. If a COLEM files the application on behalf of the applicant, an original PPC(s) is not required. However, the COLEM must keep the PPC(s) on file for a period of 1 year. When acting on behalf of qualified examinees, the COLEM must forward all required data to the FCC electronically.

Section 13.13(c) requires that each application involving a change in operator class must be filed on FCC Form 605. Each application for a commercial operator license involving a change in operator class must be accompanied by the required fee, if any, and submitted in accordance with § 1.913. The application must include an original PPC(s) from a COLEM(s) showing that the applicant has passed the necessary examination Element(s) within the previous 365 days when the applicant files the application. If a COLEM files the application on behalf of the applicant, an original PPC(s) is not required. However, the COLEM must keep the PPC(s) on file for 1 year. When acting on behalf of qualified examinees, the COLEM must forward all required data to the FCC electronically.

Section 13.17(b) requires that each application for a replacement General Radiotelephone Operator License, Marine Radio Operator Permit, First Class Radiotelegraph Operator's Certificate, Second Class Radiotelegraph Operator's Certificate, Third Class Radiotelegraph Operator's Certificate, Radiotelegraph Operator Certificate, GMDSS Radio Operator's License, Restricted GMDSS Radio Operator's License, GMDSS Radio Maintainer's License, or GMDSS Radio Operator/Maintainer License must be made on FCC Form 605 and must include a written explanation as to the circumstances involved in the loss, mutilation, or destruction of the original document.

Section 13.211(e) requires that within 3 business days of completion of the examination Element(s), the COLEM must provide the examination results to the examinee and must issue a PPC to an examinee who scores a passing grade on an examination Element.

Section 13.217 requires that each COLEM recovering fees from examinees, who took the Commercial Operator Examination, must maintain records of expenses and revenues, frequency of examinations administered, and examination pass rates. These records must cover the period from January 1 - December 31 of the preceding year, be maintained for one year, and be available to the Commission upon request. This record-keeping requirement ensures that fees are reasonable, and assists the Commission in monitoring the commercial operator license examination program.

With this submission, the Commission is seeking OMB approval for an extension of the three-year expiration date without change of a currently-approved information collection.

The statutory authorization for this information collection is in sections 4, 303 of the Communications Act, 48 Stat. 1066, 1082 as amended; 47 U.S.C. §§ 154 and 303.

This information collection does minimally affect individuals or households, and the FCC has in place the requisite requirements to address these impacts, as required by the Privacy Act of 1974, as amended, and OMB regulations.

The FCC has a Privacy Policy that covers those who access the FCC's webpages: <http://www.fcc.gov/fccprivacypolicy.html>. There is also a system of records: <https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information#systems>; and a Privacy Impact Assessment: <https://www.fcc.gov/managing-director/privacy-transparency/privacy-act-information#pia>.

2. COLEMs are required to retain certain records for three years and would submit that information to the Commission only upon request. COLEMs are also be required to provide examination results to examinees within three business days, and to use electronic filing when submitting applications on behalf of examinees.

The records are journal entries showing revenues collected and expenses incurred. The records may be inspected by FCC field investigators. The records will provide a vehicle for the FCC to cancel the designation of a person or organization as an examination manager. If the information were not maintained, it is conceivable that fraud and abuse could occur in the commercial operator examination program.

3. Prior to finalizing rulemakings, the Wireless Telecommunications Bureau conducts an analysis to ensure that improved information technology can be used to reduce public burden. This analysis considers the possibility of obtaining and/or computer-generating the required data from existing databases in the Commission or other Federal agencies.
4. No other Federal agency collects this data.
5. Under the Paperwork Reduction Act of 1995, the Commission is trying to minimize the burden on all respondents regardless of size. To deter against possible abuses, the Commission has limited the information requirements to that which is absolutely necessary.
6. If the information collection requirements were not kept or fulfilled, it is conceivable that examinees could be overcharged and that fraud and deceit could be used for unjust enrichment of the COLEMs.
7. There are no special circumstances which would require this information collection to be conducted in a manner inconsistent with 5 CFR § 1320.5.
8. The Commission published a 60-day Notice soliciting public comment as required by 5 CFR § 1320.8(d), via publication in the Federal Register on November 25, 2024 (89 FR 92930). No PRA comments were received as a result of the Notice.
9. Respondents will not receive any payments.
10. There is no need for confidentiality with this information collection.

11. This does not address any private matters of a sensitive nature.
12. There are approximately 11 COLEMs that are required to maintain records of examinees, revenues and expenses, frequency of exams, and exam passage rates. Approximately 3,731 examinees take the various Element examinations annually.
  - a. **Section 13.9.** Approximately 3,681 examinees annually apply for an operator class and take the examination Elements. Of the 3,681 examinees, about 3,289 examinees file applications for new licenses via COLEM, while the remaining 392 applicants file independently. We estimate that each COLEM respondent would spend 0.44 hours filling out FCC Form 605:
 
$$3,289 \text{ (new examinees who file via COLEM respondents)} + 392 \text{ (new examinees who file independently)} \times 0.44 \text{ hours (FCC Form 605)} = 1,620 \text{ hours when rounding up}$$
  - b. **Section 13.13.** Approximately 50 examinees annually seek to change their operator class, and take only the examinations for the missing Elements. Of the 50 examinees, about 49 examinees file applications to modify their licenses via COLEM, while the remaining applicant files independently. We estimate that each COLEM respondent would spend 0.44 hours filling out FCC Form 605:
 
$$49 \text{ (examinees who modify licenses via COLEM respondents)} + 1 \text{ (examinee who modifies license by filing independently)} \times 0.44 \text{ hours (FCC Form 605)} = 22 \text{ hours}$$
  - c. **Section 13.217.** We estimate that each COLEM would spend 30 hours annually for recordkeeping. Collectively, the 11 COLEM respondents would spend 330 hours per year for recordkeeping:
 
$$11 \text{ (COLEM respondents)} \times 30 \text{ hours (recordkeeping)} = 330 \text{ hours}$$
  - d. **Sections 13.9 and 13.211.** COLEMs are also required to issue a PPC to all examinees who pass. We estimate that each COLEM respondent would spend 30 hours per week (30 hours x 52 weeks = 1,560 hours annually) issuing PPCs:
 
$$11 \text{ (COLEM respondents)} \times 1,560 \text{ hours (issuing PPCs)} = 17,160 \text{ hours}$$
  - e. **Section 13.17.** Since the FCC no longer issues paper licenses or license replacements given that the official license record is electronic and in the FCC's Universal Licensing System, no commercial operator license holders apply for a license replacement annually, the burden hours for this has been reduced to zero.

**Total Annual Burden in Hours:  $1,620 + 22 + 330 + 17,160 + 0 = 19,132$  hours**

**Total Number of Respondents:  $3,681 + 50 + 11 = 3,742$  respondents**

**Total Number of Annual Responses: 3,742<sup>1</sup>**

**Total "In-house costs":** To fulfill the various information collection requirements, we estimate that each COLEM will employ staff who are equivalent to a Federal employee employed at the GS 7/5 level with a rate of \$30.37 per hour.

$$19,132 \text{ hours} \times \$30.37 \text{ per hour} = \mathbf{\$581,038.84}$$

13. There are no external or contracting costs for this collection.
14. There are no costs to the Federal Government.

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<sup>1</sup> It is difficult for the Commission to quantify the number of responses because the burden calculations are calculations based on the respondents as a whole instead of the responses.

15. The Commission is not reporting any program changes for this information collection. However, there are adjustments to the number of respondents of +3,083, to the annual responses of +3,083, and to the annual burden hours of +4,336. These adjustments are due to the Commission recalculating those figures for this collection.
16. The data will not be published for statistical use.
17. We do not seek approval to not display the expiration date for OMB approval of the information collection. The OMB control number, title, and OMB expiration date for this collection are displayed on OMB's website.
18. There are no exceptions to the certification statement.

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

No statistical methods are employed.