

SUPPORTING STATEMENT

A. Justification

1. The Americans with Disabilities Act of 1990 (ADA), Public Law 101-336, 104 Stat. 327, 366-69, was enacted on July 26, 1990.
 - (a) Title IV of the ADA added section 225 to the Communications Act of 1934 (Act), which directs the Commission to promulgate regulations that require all domestic telephone common carriers to provide telecommunications relay services (TRS).¹
 - (b) 47 CFR Part 64, Subpart F, which implements certain provisions of the ADA pertaining to TRS, contains the operational, technical, and functional standards required of all TRS providers and the procedures for state certification.
 - (c) The Commission has noted that the overall purpose of section 225 is to “ensure that interstate and intrastate [TRS] are available, to the extent possible and in the most efficient manner, to hearing-impaired and speech-impaired individuals in the United States.”²
 - (d) The Commission has further noted that section 225, consistent with section 7(a) of the Act, requires that the rules the Commission prescribes to implement section 225 encourage “the use of existing technology and not discourage or impair the development of improved technology.”³

History:

Video Relay Service

In March 2000, the Commission recognized Video Relay Service (VRS) as a form of TRS.⁴ VRS requires the use of a broadband Internet connection between the VRS user and the communications assistant (CA), which allows the CA to communicate with the VRS user in

¹ Telecommunications relay services (TRS) is defined as:

. . . telephone transmission services that provide the ability for an individual who is deaf, hard of hearing, deaf-blind, or who has a speech disability to engage in communication by wire or radio with one or more individuals, in a manner that is functionally equivalent to the ability of a hearing individual who does not have a speech disability to communicate using voice communication services by wire or radio.

47 U.S.C. § 225(a)(3) (as amended by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA), Pub. L. No. 111-260, § 103(b), 124 Stat. 2751, 2755 (2010); Pub. L. No. 111-265 (technical amendments to CVAA)). The Interstate TRS Fund compensates eligible providers of interstate TRS and Internet-based TRS (iTRS) for their reasonable costs of providing these services. See 47 CFR § 64.604(c)(5)(iii).

² 47 U.S.C. § 225(b)(1).

³ 47 U.S.C. § 225(d)(2).

⁴ *Telecommunications Relay Services for Individuals with Hearing and Speech Disabilities*, Report and Order and Further Notice of Proposed Rulemaking, 15 FCC Rcd 5140, 5152-54, paras. 21-27 (2000); 47 CFR § 64.601(a)(40) (defining VRS).

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

sign language via the video link and by voice with the hearing person. As a result, the conversation between the deaf and hearing end users follows in near real time.

On April 6, 2011, the Commission adopted the *VRS Fraud Prevention Order*, which included several measures designed to substantially reduce and ultimately eliminate fraud and abuse while ensuring that VRS remains a viable and a valuable communication tool for Americans who use it on a daily basis.⁵

On July 28, 2011, the Commission adopted the *VRS Certification Order*, amending its rules for certifying iTRS providers as eligible for payment from the Interstate TRS Fund (Fund) for their provision of iTRS.⁶

On October 17, 2011, the Commission adopted the *Second VRS Certification Order*, addressing three petitions related to the *VRS Certification Order* by revising the burdens contained in the requirements for the submission of documentation of a provider's VRS equipment and technologies and the submission of documentation regarding sponsorship arrangements.⁷

Below, outlines the final information collection requirements contained in these three items:

A. Provider Certification Under Penalty of Perjury.

The Chief Executive Officer (CEO), Chief Financial Officer (CFO), or other senior executive of a TRS provider shall certify, under penalty of perjury, that: (1) minutes submitted to the Interstate TRS Fund (Fund) administrator for compensation were handled in compliance with section 225 of the Act and the Commission's rules and orders, and are not the result of impermissible financial incentives, or payments or kickbacks, to generate calls, and (2) cost and demand data submitted to the Fund administrator related to the determination of compensation rates or methodologies are true and correct.⁸

B. Requiring Providers to Submit Information about New and Existing Call Centers

- (1) VRS providers shall submit a written statement to the Commission and the TRS Fund administrator containing the locations of all of their call centers that handle VRS calls, including call centers located outside the United States, twice a year, on April 1st and October 1st. In addition to the street address of each call center, the rules require that these statements contain (1) the number of individual CAs and CA managers employed at each call center; and (2) the name and contact information (phone number and email address) for the managers at each call center.⁹

⁵ *Structure and Practices of the Video Relay Service Program*, Report and Order and Further Notice of Proposed Rulemaking, 26 FCC Rcd 5545 (2011) (*VRS Fraud Prevention Order*).

⁶ *Structure and Practices of the Video Relay Service Program*, Report and Order and Order, 26 FCC Rcd 110898 (2011) (*VRS Certification Order*).

⁷ *Structure and Practices of the Video Relay Service Program*, Memorandum Opinion and Order, Order, and Further Notice of Proposed Rulemaking, 26 FCC Rcd 14895 (2011) (*Second VRS Certification Order*).

⁸ 47 CFR § 64.604(c)(5)(iii)(D)(5).

⁹ 47 CFR § 64.604(c)(5)(iii)(N)(2).

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

- (2) VRS providers shall notify the Commission and the TRS Fund administrator in writing at least 30 days prior to any change to their call centers' locations, including the opening, closing, or relocation of any center.¹⁰

C. Data Filed with the Fund Administrator to Support Payment Claims

TRS providers shall provide the following data associated with each TRS call for which a TRS provider seeks compensation in its filing with the Fund Administrator: (1) the call record ID sequence; (2) CA ID number; (3) session start and end times noted at a minimum to the nearest second; (4) conversation start and end times noted at a minimum to the nearest second; (5) incoming telephone number and IP address (if the call originates with an IP-based device) at the time of call; (6) outbound telephone number and IP address (if the call terminates to an IP-based device) at the time of call; (7) total conversation minutes; (8) total session minutes; (9) the call center (by assigned center ID number) that handles the call; and (10) the URL address through which the call was initiated.¹¹

In addition, all VRS and IP Relay providers shall submit speed of answer compliance data to the Fund administrator.¹²

D. Automated Call Data Collection

TRS providers shall use an automated record keeping system to capture the call data and shall submit such data electronically in standardized format.¹³

E. Record Retention

Internet-based TRS providers shall retain the call data records that are used to support payment claims submitted to the Fund administrator for a minimum of five years.¹⁴

F. Third-party Agreements

(1) VRS providers shall maintain copies of all third-party contracts or agreements so that copies of these agreements will be available to the Commission and the TRS Fund administrator upon request. Such contracts or agreements shall provide detailed information about the nature of the services to be provided by the subcontractor.¹⁵

(2) VRS providers shall describe all agreements in connection with marketing and outreach activities, including those involving sponsorships, financial endorsements, awards, and gifts made by the provider to any individual or entity, in the providers' annual submissions to the TRS Fund administrator.¹⁶

¹⁰ 47 CFR § 64.604(c)(5)(iii)(N)(2)(iii).

¹¹ 47 CFR § 64.604(c)(5)(iii)(D)(2).

¹² 47 CFR § 64.604(c)(5)(iii)(D)(3); *VRS Fraud Prevention Order*, 26 FCC Rcd at 5580, para. 74.

¹³ 47 CFR § 64.604(c)(5)(iii)(D)(4).

¹⁴ 47 CFR § 64.604(c)(5)(iii)(D)(7).

¹⁵ 47 CFR § 64.604(c)(5)(iii)(N)(1)(v).

¹⁶ 47 CFR § 64.606(a)(2)(ii)(E).

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51***G. Whistleblower Protection***

TRS providers shall provide information about these TRS whistleblower protections, including the right to notify the Commission's Office of Inspector General or its Enforcement Bureau, to all employees and contractors, in writing. Providers that already disseminate their internal business policies to their employees in writing (*e.g.* in employee handbooks, policies and procedures manuals, or bulletin board postings – either online or in hard copy) must also explicitly include these TRS whistleblower protections in those written materials.¹⁷

These information collections do not affect individuals or households, and thus, there are no impacts under the Privacy Act. However:

- (a) Information that is related to individuals or households is collected by a third party, TRS providers, and the Fund administrator; and
- (b) The Commission has no direct involvement in the collection of this information on individuals and households.¹⁸

The statutory authority for the information collection is found at section 225 of the Act, 47 U.S.C. § 225; Telecommunications Services for Hearing-Impaired and Speech-Impaired Individuals; The Americans with Disabilities Act of 1990 (ADA). The law was enacted on July 26, 1990, as Title IV of the ADA, Public Law 101-336, 104 Stat. 327, 366-69.

- 2. This final requirement for reporting, keeping records, and applying for certification for eligibility to provide iTRS will help the Commission and Fund administrator further detect and deter the misuse of relay and the billing of illegitimate minutes to the Fund as one part of the Commission's goals of ensuring that VRS is available to, and used by, the full spectrum of eligible users, encourages innovation, and is provided efficiently so as to be less susceptible to the waste, fraud, and abuse that threaten its long-term viability.
- 3. The Commission requires automated, electronic processes to be employed by respondents to collect and submit to the TRS Fund Administrator cost and demand information, call data

¹⁷ 47 CFR § 64.604(c)(5)(iii)(M).

¹⁸ Although the FCC has no direct involvement in the collection of this information on individuals or households, the Commission does require the TRS providers to abide by the requirements of 47 CFR 64.604(a)(2), which states that:

CAs are prohibited from disclosing the content of any relayed conversation regardless of content, and with a limited exception for Speech-to-Speech CAs, from keeping records of the content of any conversation beyond the duration of a call, even if to do so would be inconsistent with state or local law;

CAs are prohibited from intentionally altering a relayed conversation and, to the extent that it is not inconsistent with federal, state or local law regarding use of telephone company facilities for illegal purposes, must relay all conversation verbatim unless the relay user specifically requests summarization, or if the user requests interpretation of an ASL call; and

Appropriate measures must be taken by relay providers to ensure that confidentiality of TRS users is maintained.

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

records, and speed of answer data in furtherance of this collection.¹⁹ At this time, the Commission is not considering the use of improved information technology for other aspects of this collection. Providers may continue to submit all other required documentation, including certification, electronically as well as in hard copies. Providers are free to set up their own systems, which may include improved information technology for a seamless electronic delivery.

4. The information is not duplicated elsewhere. This requirement augments previous certification requirements.
5. There will be no significant economic impact on small businesses or small entities. In the *VRS Certification Order*, the Commission attached a Final Regulatory Flexibility Certification (FRFC), which provided an analysis of the economic impact of each of the existing rules on small entities and certified that the requirements of the *VRS Certification Order* will not have a significant economic impact on a substantial number of small entities.
6. If this information collection is not conducted, the Commission and Fund administrator would have less of a basis to detect and prevent fraud and misuse in the provision of relay. The collections of information and recordkeeping requirements are necessary for the Commission to strengthen its ability to oversee the VRS program, which has been vulnerable to waste, fraud, and abuse. The Commission must be able to confirm that only eligible providers are in compliance with the standards by having easy access to providers' information on their operational and technical platforms for recording call data and billable minutes for compensation from the Fund. Without such information and recordkeeping requirements, the Commission would be limited in its ability to prevent waste, fraud, and abuse of the Fund.
7. This collection would require respondents to report information to the agency more often than quarterly. This is pursuant to established procedures whereby providers submit data on a monthly basis in support of requests for payment from the Fund. If the reporting occurred only quarterly or less frequently, providers would not get reimbursed from the Fund on the monthly basis they do now.
8. Pursuant to 5 CFR § 1320.8, the Commission placed a notice in the *Federal Register* on May 16, 2017, published at 82 FR 22546, seeking comments from the public on the information collection requirements contained in this supporting statement. No comments were received.
9. The Commission does not anticipate providing any payment or gift to any respondents.
10. The Fund administrator keeps all cost and demand data obtained from TRS providers confidential and does not disclose such data in company-specific form unless directed to do so by the Commission.²⁰
11. This information collection does not address any private matters of a sensitive nature.

¹⁹ 47 CFR § 64.604(c)(5)(iii)(D)(4).

²⁰ The Commission believes that 47 CFR 64.604(a)(2) provides sufficient safeguards to protect the information on individuals or households that providers collect as part of their responsibilities, which relieves the Commission of its requirement to complete a privacy impact assessment.

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

12. The following represents the estimates of the hour burdens of the information collection. Overall, the Commission estimates that there are 10 TRS providers that will be affected by this collection.

Extended Information Collections Requirements

Of the 10 TRS providers (respondents), the Commission estimates that:

- 1 provides five forms (all but VRS);
- 1 provides four forms (all but IP Relay and VRS); and
- 8 provide one form (five provide VRS, and three provide IP CTS).²¹

With the exception of category D – Automated Call Data Collection, the respondents for each of the categories below are these same 10 TRS providers or a subset of these providers.

A. Provider Certification Under Penalty of Perjury**Annual Number of Respondents: 10 (applies to all forms of TRS)**

- (1) The Commission estimates that each respondent will require approximately 0.1 hours (6 minutes) to certify its submissions under penalty of perjury on a monthly basis.

Annual Burden Hours: 10 respondents x 0.1 hrs/response/month x 12 months/yr = 12 hrs/yr

Annual Number of Responses: 10 respondents x 1 response/month x 12 months/yr = 120 responses/yr

- (2) The Commission estimates that each respondent will require approximately 0.1 hours (6 minutes) to certify its annual submission of cost and demand data under penalty of perjury.

Annual Burden Hours: 10 respondents x 0.1 hrs/response/year = 1 hr/yr

Annual Number of Responses: 10 respondents x 1 response/year = 10 responses/yr

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS 15 step 5) for signing the certification. The Commission estimates respondents’ costs to be about \$71.56 per hour to complete the requirements:

Total Annual Number of Responses: 120 + 10 = 130

Total Annual Burden Hours: 12 hrs/yr + 1 hr/yr = **13 hours/year**

Total Annual “In-House” Cost: 13 hrs/yr x \$71.56/hour = \$930.28

B. Requiring Providers to Submit Information about New and Existing Call Centers

²¹ Two of the VRS providers are under common ownership, and one of the IP CTS providers is a wholly-owned subsidiary of the one of the other VRS providers. These providers are all considered separate respondents for the purpose of this information collection.

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51**Annual Number of Respondents: 5 (applies to VRS only)**

(1) The Commission estimates that each respondent will require approximately 16 hours to complete the compilation and submission of a statement detailing the street address of each call center the provider owns, the number of CAs and CA managers employed at each call center, and the name and contact information for the call center (phone number and email address), and the managers of each call center twice a year.

Annual Number of Responses: 5 respondents x 1 response x 2 times/yr = 10 responses/yr

Annual Number of Burden Hours: 5 respondents x 16 hrs x 2 times/yr = 160 hrs/yr

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS 15 step 5) to complete the compilation and submission of a statement regarding call center information twice a year. The Commission estimates respondents’ costs to be about \$71.56 per hour to complete.

Annual “In-House” Cost: 160 hrs/yr x \$71.56 = \$11,449.60

(2) The Commission estimates that each respondent will require approximately .50 hours (30 minutes) to file a letter of notification to the Commission and the TRS Fund administrator of any change to their call centers’ locations, including the opening, closing, or relocation of any center. The Commission further estimates that each respondent may file one such letter of notification twice a year.

Annual Number of Responses: 5 respondents x 1 response x 2 times/yr = 10 responses/yr

Annual Number of Burden Hours: 5 respondents x .50 hr x 2 times/yr = 5 hrs/yr

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS 15 step 5) to file a letter of notification each time there is a change in call centers’ locations, including the opening, closing or relocation of any center.

The Commission estimates respondents’ costs to be about \$71.56 per hour to complete.

Annual “In-House” Cost: 5 hrs/yr x \$71.56 = \$357.80

Total Annual Number of Responses: 10 + 10 = 20

Total Annual Burden Hours: 160 hrs + 5 hrs = 165 hrs

Total Annual “In-House” Cost: \$11,449.60 + \$357.80 = \$11,807.40

C. Data Filed with the Fund Administrator to Support Payment Claims**Annual Number of Respondents: 10 (applies to all forms of TRS)**

(1) The Commission estimates that each respondent will be required to submit specified call data in order to be compensated from the Fund.

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

Annual Number of Responses (1 response/form of TRS x 12 months): 204 responses/yr

5 forms of TRS (1 provider) + 4 forms of TRS (1 provider) + 1 form of TRS (8 providers) = 5 + 4 + 8 = 17; 17 x 12 = 204 responses/yr

Annual Number of Burden Hours: 300 + 240 + 480 = 1,020 hrs/yr

The Commission estimates that each respondent will require approximately 5 hours per data submission per form of TRS to complete the compilation and submission of call data on a monthly basis:

- Five forms of TRS: 1 respondent x 5 forms of TRS x 5 hrs/data submission/form of TRS x 12 months = 300 hrs/yr
- Four forms of TRS: 1 respondent x 4 forms of TRS x 5 hrs/data submission/form of TRS x 12 months = 240 hrs/yr
- One form of TRS: 8 respondents x 1 form of TRS x 5 hrs/data submission/form of TRS x 12 months = 480 hrs/yr

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15 step 5) to compile and submit specified call data. The Commission estimates respondents’ costs to be about \$71.56 per hour to complete.

Annual “In-House” Cost: 1,020 hrs x \$71.56/hr = \$72,991.20

(2) The Commission requires providers to submit speed of answer compliance data for VRS and IP Relay.

Annual Number of Respondents: 6

There are 5 providers of VRS and 1 provider of IP Relay, for a total of 6 providers

Annual Burden Hours: 360 hrs/yr

The Commission estimates that 5 VRS respondents and 1 IP Relay respondent will each require approximately 5 hours to complete the compilation and submission of speed of answer compliance data on a monthly basis.

6 respondents x 5 hrs/month (to complete 1 report) x 12 months = 360 hrs/yr

Annual Number of Responses: 72 responses/yr

6 respondents x 1 response/month x 12 months = 72 responses/yr

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15 step 5) to complete the compilation and submission of data. The Commission estimates respondents’ costs to be about \$71.56 per hour to complete.

Annual “In-House” Cost: 360 hrs/yr x \$71.56 = \$25,761.60

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

(3) The Commission estimates that each respondent will require approximately .50 hours (30 minutes) per form of TRS to electronically submit the call record and speed of answer data on a monthly basis:

Annual Burden Hours: $30 + 24 + 48 = 102$ hrs/yr

- Five forms of TRS: 1 respondent x .50 hrs/month/form of TRS x 5 forms of TRS x 12 months/yr = 30 hrs/yr
- Four forms of TRS: 1 respondent x .50 hrs/month/form of TRS x 4 forms of TRS x 12 months/yr = 24 hrs/yr
- One form of TRS: 8 respondents x .50 hrs/month/form of TRS x 1 form of TRS x 12 months/yr = 48 hrs/yr

Annual Number of Responses (1 response/form of TRS x 12 months): 204 responses/yr

5 forms of TRS (1 provider) + 4 forms of TRS (1 provider) + 1 form of TRS (8 providers) = 5 + 4 + 8 = 17; 17 x 12 = 204 responses/yr

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15 step 5) to electronically submit the call record and speed of answer data. The Commission estimates respondents’ costs to be about \$71.56 per hour to complete.

Annual “In-House” Cost: $102 \text{ hrs/yr} \times \$71.56 = \$72,991.20$

Total Annual Number of Responses: $204 + 72 + 204 = 480$

Total Annual Number Burden Hours: $1,020 + 360 + 102 = 1,482$ hrs

Total Annual “In-House” Cost: $\$72,991.20 + \$25,761.60 + \$72,991.20 = \$171,744$

D. Automated Call Data Collection

Annual Number of Respondents: 3

The Commission concludes that all new incumbent providers subject to this one-time information collection had implemented an automated system for capturing call data according to the Automated Call Data Collection requirement. Since this requirement is a one-time information collection, it only applies to new potential provider(s). At this time, the Commission has not identified any new potential provider, but estimates that there may be up to 1 new provider each year over the three-year period of this collection. The Commission estimates that respondents will require approximately 25 hours per form of TRS offered to complete the implementation of technology that allows automatic capture of the session and conversation times, to the nearest second, and all other data required by the *VRS Fraud Prevention Order* for each call.

The implementation will be performed on a one-time basis.

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

Number of Responses (One-time): 3 respondents (each provider offering one form of TRS)

Number of Burden Hours (One-time): 75 hrs:

One form of TRS: 3 respondents x 1 form of TRS x 25 hrs/form of TRS = 75 hrs

The Commission assumes that respondents will use “in-house” personnel (GS-15 step 5) whose pay is comparable to senior level federal employees to implement technology that supports automatic call data collection. The Commission estimates respondents’ costs to be about \$71.56 per hour to complete.

“In-House” Cost (One-time): 75 hrs x \$71.56/hr = \$5,367

Annualized Burdens -- Though respondents will incur the burdens estimated in this section on a one-time basis, for purposes of cumulative burden estimates, these one-time estimates are annualized over the three-year period for which the Commission seeks approval for this collection. Therefore:

Total Annualized Number of Responses: $3/3 = 1$ response/yr

Total Annualized Number Burden Hours: $75 \text{ hrs}/3 = 25$ hrs/yr

Total Annualized “In-House” Cost: $\$5,367/3 = \$1,789$ /yr

E. Record Retention**Annual Number of Respondents: 10**

The Commission estimates that there are 10 unique providers (respondents) that provide VRS, IP Relay, or IP CTS. 1 provides two forms (IP Relay and IP CTS), and 9 provide one form (5VRS and 4 IP CTS).²²

Annual Number of Responses: 11 responses/yr

$(1 \text{ provider} \times 2 \text{ responses}) + (9 \text{ providers} \times 1 \text{ response}) = 11 \text{ responses/yr}$

Annual Number of Burden Hours: 10 hrs + 45 hrs = 55 hrs/yr

The Commission estimates that each respondent will require approximately 5 hours per form of Internet-based TRS to retain for five years its call detail records, other records that support its claims for payment from the Fund, and those records used to substantiate the costs and expense data submitted in the annual relay service data request form. Though the record keeping requirement entails record retention for five years, the burden is incurred once per year as new records are added and those older than five years are purged.

$1 \text{ respondent} \times 2 \text{ forms of TRS} \times 5 \text{ hrs/form of TRS} = 10 \text{ hrs/yr}$

$9 \text{ respondents} \times 1 \text{ form of TRS} \times 5 \text{ hrs/form of TRS} = 45 \text{ hrs/yr}$

²² Two of the VRS providers are under common ownership, and one of the IP CTS providers is a wholly-owned subsidiary of the one of the other VRS providers. These providers are all considered separate respondents for the purpose of this information collection.

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15 step 5) for record keeping. The Commission estimates respondents’ costs to be about \$71.56 per hour to complete.

Annual “In-House” Cost: 55 hrs/yr x \$71.56 = \$3,935.80

F. Third-party Agreements

Annual Number of Respondents: 5 (VRS)

(1) The Commission estimates that each respondent will require approximately 5 hours per year to maintain copies of all third-party contracts or agreements so that copies of these agreements containing detailed information will be available to the Commission and the TRS Fund administrator upon request.

Annual Number of Burden Hours: 5 respondents x 5 hrs x 1/yr = 25 hrs/yr

Annual Number of Responses: 5 respondents x 1 response x 1/yr = 5 responses/yr

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15 step 5) to maintain copies of all third-party contracts or agreements. The Commission estimates respondents’ costs to be about \$71.56 per hour to complete.

Annual “In-House” Cost: 25 hrs/yr x \$71.56 = \$1,789

(2) The Commission estimates that each respondent will require 5 hours to describe all agreements in connection with marketing and outreach activities, including those involving sponsorships, financial endorsements, awards, and gifts made by the provider to any individual or entity, in the providers’ annual submissions to the TRS Fund administrator.

Annual Number of Responses: 5 respondents x 1 response x 1/yr = 5 responses/yr

Annual Number of Burden Hours: 5 respondents x 5 hrs x 1/yr = 25 hrs/yr

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15 step 5) to describe in details all agreements in the providers’ annual submissions to the TRS Fund administrator. The Commission estimates respondents’ costs to be about \$71.56 per hour to complete.

Annual “In-House” Cost: 25 hrs/yr x \$71.56 = \$1,789

Total Annual Number of Responses: 5 + 5 = 10

Total Annual Number Burden Hours: 25 + 25 = 50 hrs

Total Annual “In-House” Cost: \$1,789 + 1,789 = \$3,578

G. Whistleblower Protection

Annual Number of Respondents: 10

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

The Commission estimates that each respondent will require 3 hours to distribute information about whistleblower protections, including the right to notify the Commission's Office of Inspector General or its Enforcement Bureau, to all TRS employees and contractors, in writing. Such notification can be distributed in employee handbooks, policies and procedures manuals, or bulletin board postings – either online or in hard copy.

Annual Number of Responses (1 response/form of TRS x one per year): 17 responses/yr

5 forms of TRS (1 provider) + 4 forms of TRS (1 provider) + 1 forms of TRS (8 providers) = 5 + 4 + 8 = 17 x 1/year = 17 responses/yr

Annual Number of Burden Hours: 15 + 12 + 24 = 51 hrs/yr

The Commission estimates that each respondent will require approximately 3 hours to distribute information about whistleblower protections for each form of TRS on an annual basis:

- Five forms of TRS: 1 respondent x 5 forms of TRS x 3 hrs per distribution = 15 hrs/yr
- Four forms of TRS: 1 respondents x 4 forms of TRS x 3 hrs per distribution = 12 hrs/yr
- One form of TRS: 8 respondents x 1 form of TRS x 3 hrs per distribution = 24 hrs/yr

The Commission assumes that respondents will use “in-house” personnel whose pay is comparable to senior level federal employees (GS-15 step 5) to distribute information about whistleblower protections. The Commission estimates respondents' costs to be about \$71.56 per hour to complete.

Annual “In-House” Cost: 51 hrs x \$71.56/hr = \$3,649.56

ANNUAL TOTALS FOR INFORMATION COLLECTION REQUIREMENTS:

Total of Annual Number of Respondents: = 10

Total Annual Number of Responses: 669

Total of Annual Burden Hours: 1,841

Total of Annual “In-House” Costs: \$197,434.04

13. The Commission estimates that TRS providers will incur some cost for the following:

(1) Implementation of technological infrastructure – likely software -- to automatically capture the session and the conversation times, to the nearest second, and all other data required for each TRS call, per 12(D) above; and

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

The Commission estimates conservatively at this juncture that the 3 new potential respondents will purchase such software at up to \$5,000. The Commission further estimates that such software would have a useful life of 10 years.

3 new potential respondent x \$5,000/10 yrs = \$1,500/yr

(2) Record storage facilities for retaining records for five years, per 12(E) above.

The Commission estimates that the 10 respondents will need to spend \$2,600 per year for additional server space, memory, communications, and backup/recovery service, including maintenance, associated with a requirement to retain records for five years, per 12(E) above.

10 respondents x \$2,600 /yr = \$26,000/yr

(a) Total annualized capital/start-up costs: \$1,500

(b) Total annual costs (operation and maintenance): \$26,000

(c) Total annualized costs requested: \$1,500 + \$26,000 = **\$27,500**

14. The Commission believes that the costs to the Federal government emanating from these final information collections will involve:²³

(a) Initial staff review of the call data information and speed of answer compliance data, and of existing and new call center information; and

(b) Senior staff review of issues identified and escalated from the initial staff review of information and data.

(a) The Commission will use staff attorneys at the GS-14/5 level to review this information. The Commission estimates the time to review this information will be approximately 12 hours per month = 144 hours annually.

144 hrs x \$60.83/hr = \$8,759.52

(b) The Commission will use staff attorneys at the GS-15/5 level to review escalated issues and information. The Commission estimates the time to review this information will be approximately 25 hours per month = 300 hours annually.

300 hrs x \$71.56/hr = \$21,468

Total Cost to the Federal Government: \$8,759 + \$21,468 = \$30,227

²³ The costs estimated here are in addition to the much-greater time and costs associated with the Fund administrator's review of such data and information. While working under contract with the Federal government and at the direction of the Commission, the costs associated with the Fund administrator's work related to the final information collections are not taken into account in the estimated costs to the Federal Government pursuant to Question 14 of the Supporting Statement, because the Fund administrator is compensated from the TRS Fund.

Structure and Practices of the Video Relay Service Program; CG Docket No. 10-51

15. The Commission re-evaluated the assessment of the burdens for this information collection and determined there have been adjustments to the total annual number of respondents of **-3**, from 13 to 10, to the total annual number of responses of **-313**, from 982 to 669, to the total annual burden hours of **-882**, from 2,723 to 1,841, and to the total annual cost of **+\$18,200**, from \$9,300 to \$27,500. There are no program changes.
16. There are no plans to publish the results of the collection of information.
17. The Commission is not seeking approval not to display the expiration date for OMB approval of this collection of information 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 statistical methods.