

*Frequency of Response:* On occasion reporting requirements.

*Total Annual Burden:* 2,750 hours.

*Total Annual Cost:* \$2,689,500.

*Needs and Uses:* FCC Form 349 is used to apply for authority to construct a new FM translator or FM booster broadcast station, or to make changes in the existing facilities of such stations. To satisfy the third party requirements under 47 CFR 73.3580, applicants must give notice of their applications for new or major changes in facilities in a local newspaper within 30 days, and copy of both the notice and the application must be placed in the public inspection. In addition, all mutually exclusive NCE proposals for the reserved band currently on file with the FCC are required to supplement their applications with portions of the revised FCC Form 349 necessary to make a selection under the new point system. The FCC will issue a public notice announcing the procedures to be used in this process. The data help the FCC to determine whether an applicant meets basic statutory requirements and will not cause interference to other licensed broadcast services. Where there are mutually exclusive, qualified applicants, the information is used to determine which proposal best serves the public interest.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-3054 Filed 2-11-04; 8:45 am]

**BILLING CODE 6712-10-M**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission

January 29, 2004.

**SUMMARY:** The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper

performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written Paperwork Reduction Act (PRA) comments should be submitted on or before March 15, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments regarding this Paperwork Reduction Act submission to Judith B. Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW., DC 20554 or via the Internet to *Judith-B.Herman@fcc.gov*.

**FOR FURTHER INFORMATION CONTACT:** For additional information or copies of the information collection(s), contact Judith B. Herman at 202-418-0214 or via the Internet at *Judith-B.Herman@fcc.gov*.

**SUPPLEMENTARY INFORMATION:** OMB Control No.: 3060-0865.

*Title:* Wireless Telecommunications Bureau Universal Licensing System Recordkeeping and Third Party Disclosure Requirements.

*Form No:* N/A.

*Type of Review:* Extension of a currently approved collection.

*Respondents:* Individuals or households, business or other for-profit, not-for-profit institutions, and state, local and tribal government.

*Number of Respondents:* 61,340.

*Estimated Time Per Response:* .166-4 hours.

*Frequency of Response:* On occasion reporting requirement, recordkeeping requirement and third party disclosure requirement.

*Total Annual Burden:* 83,939 hours.

*Total Annual Cost:* N/A.

*Needs and Uses:* The purpose of this collection is to streamline the set of rules which minimize filing requirements via the Universal Licensing System (ULS); to eliminate redundant and unnecessary submission requirements; and to assure ongoing collection of reliable licensing and ownership data. The recordkeeping and third party disclosure requirements, along with certifications which made via the ULS FCC Form 601 are two ways the Commission reduced the filing

burdens in the industry. However, applicants must maintain records to document compliance with the requirements for which they provide certification. In some instances third party coordination's are required.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-3055 Filed 2-11-04; 8:45 am]

**BILLING CODE 6712-01-P**

## FEDERAL COMMUNICATIONS COMMISSION

### Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval

January 14, 2004.

**SUMMARY:** The Federal Communications Commissions, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Pub. L. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before March 15, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to *Leslie.Smith@fcc.gov* or Kim A. Johnson, Office of Management and Budget (OMB), Room

10236 NEOB, Washington, DC 20503, (202) 395-3562 or via the Internet at [Kim\\_A.Johnson@omb.eop.gov](mailto:Kim_A.Johnson@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copy of the information collection(s) contact Les Smith at (202) 418-0217 or via the Internet at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0551.

*Title:* Sections 76.1002 and 76.1004, Specific Unfair Practices Prohibited.

*Form Number:* N/A.

*Type of Review:* Revision of a currently approved collection.

*Respondents:* Business or other for profit entities.

*Number of Respondents:* 20.

*Estimated Time per Response:* 1-25 hours.

*Frequency of Response:* On occasion reporting requirement; Third party disclosure.

*Total Annual Burden:* 260 hours.

*Total Annual Cost:* \$50,000.

*Needs and Uses:* On June 28, 2002, the FCC released a Report and Order (R&O), *In the Matter of Implementation of the Cable Television Consumer Protection and Competition Act of 1992, Development of Competition and Diversity in Video Programming Distribution: Section 628(c)(5) of the Communications Act, Sunset of Exclusive Contract Prohibition*, CS Docket No. 01-290, FCC 02-176. The R&O modified 47 CFR 76.1002(c)(6)—to extend the term of the prohibition on exclusive agreements between cable operators and vertically integrated programmers. The prohibition will expire on October 5, 2007 unless circumstances in the video programming marketplace indicate the prohibition continues to be necessary. FCC staff will use this information to determine on a case-by-case basis whether particular exclusive contracts for cable television programming comply with the statutory public interest standard of Section 19 of the 1992 Cable Television Consumer Protection and Competition Act and Section 628 of the Communications Act of 1934, as amended. Section 301(j) of the 1996 Telecommunications Act amends the restrictions of Section 628 to include common carriers and their affiliates that provide video programming.

Federal Communications Commission.

**Marlene H. Dortch,**

*Secretary.*

[FR Doc. 04-3056 Filed 2-11-04; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval**

January 29, 2004.

**SUMMARY:** The Federal Communications Commissions, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**DATES:** Written comments should be submitted on or before March 15, 2004. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

**ADDRESSES:** Direct all comments to Les Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov) or Kim A. Johnson, Office of Management and Budget (OMB), Room 10236 NEOB, Washington, DC 20503, (202) 395-3562 or via the Internet at [Kim\\_A.Johnson@omb.eop.gov](mailto:Kim_A.Johnson@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** For additional information or copy of the information collection(s) contact Les Smith at (202) 418-0217 or via the Internet at [Leslie.Smith@fcc.gov](mailto:Leslie.Smith@fcc.gov).

**SUPPLEMENTARY INFORMATION:**

*OMB Control Number:* 3060-0095.

*Title:* Cable Television Annual Employment Report, FCC Form 395-A.

*Type of Review:* Extension of currently approved collection.

*Form Number:* FCC 395-A.

*Respondents:* Business or other for-profit entities; not-for-profit institutions.

*Number of Respondents:* 1,950.

*Estimated Time per Response:* 0.166 to 2.417 hrs.

*Frequency of Response:*

Recordkeeping; Annual and five year reporting requirements.

*Total Annual Burden:* 3,302 hours.

*Total Annual Cost:* None.

*Needs and Uses:* Following the D.C. Circuit's decision in *MD/DC/DE Broadcasters Association v. FCC* ("Association") in January 2001, vacating the FCC's broadcast EEO rules for recruitment, on January 31, 2001, the Commission suspended its EEO program requirements for both broadcasters and Multichannel Video Programming Distributors (MVPD's), including the requirement to file FCC Forms 395-A, and 395-M. The FCC is now revising Form 395-A, Annual Employment Report, to incorporate FCC Form 395-M. The new FCC Form 395-A is a data collection device used to report industry trends. The report identifies employees by gender, race, and ethnicity in fifteen job categories. The FCC Form 395-A contains a grid which collects data on full and part-time employees and requests a list of employees by job title, indicating the job category and full or part-time status of the position. However, Form 395-A omits the old EEO program report section, which is now in the new FCC Form 396-C, OMB Control No. 3060-1033.

*OMB Control Number:* 3060-0390.

*Title:* Broadcast Station Annual Employment Report, FCC Form 395-B.

*Form Number:* FCC Form 395-B.

*Type of Review:* Extension of currently approved collection.

*Respondents:* Business or other for-profit entities; not-for-profit institutions.

*Number of Respondents:* 14,000.

*Estimated Time per Response:* 0.88 hours.

*Frequency of Response:* Annual reporting requirement.

*Total annual burden:* 12,320 hours.

*Total Annual Costs:* None.

*Needs and Uses:* FCC Form 395-B is used to compile statistics on the workforce employed by broadcast licensees/permittees. It is filed by all AM, FM, TV, international and low power TV broadcast licensees/permittees that employ five or more full-time employees. The FCC staff use the data to compile a report showing the five-year employment trends of the broadcast industry.