

*Frequency of Response:* On renewal reporting requirement.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority which covers this information collection is contained in section 154(i) and 303 of the Communications Act of 1934, as amended.

*Total Annual Burden:* 4,436 hours.

*Total Annual Cost:* \$666,000.

*Needs and Uses:* The Commission adopted on September 18, 2023, the Report and Order (R&O), Amendment of part 73 of the Commission's Rules to Update Television and Class A Television Broadcast Station Rules, and Rules Applicable to All Broadcast Stations, MB Docket No. 22–227, FCC 23–72. The R&O adopted a number of revisions to the Commission's rules to reorganize and clarify the Commission's technical licensing, operating, and interference rules for full power and Class A television, including a revision to 47 CFR 73.2080. No other changes to OMB Control Number 3060–0113, approved August 2021, been made, with the exception of an added description regarding the revision to § 73.2080. That description is for illustrative purposes only, and also does not create any new or modified paperwork obligations.

*OMB Control Number:* 3060–0009.

*Title:* FCC Form 2100, Schedule 316—Application for Consent to Assign Broadcast Station Construction Permit or License or Transfer Control of Entity Holding Broadcast Station Construction Permit or License.

*Form Number:* FCC Form 2100, Schedule 316.

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

*Respondents:* Business or other for-profit entities; Not-for-profit institutions; State, local or tribal government.

*Number of Respondents and Responses:* 750 respondents and 750 responses.

*Estimated Time per Response:* 1.5–4.5 hours.

*Frequency of Response:* On occasion reporting requirement.

*Obligation to Respond:* Required to obtain benefits. Statutory authority for this collection of information is contained in sections 154(i) and 310(d) of the Communications Act of 1934, as amended.

*Total Annual Burden:* 1,231 hours.

*Total Annual Cost:* \$711,150.

*Needs and Uses:* The Commission adopted on September 18, 2023, the Report and Order (R&O), Amendment of part 73 of the Commission's Rules to Update Television and Class A Television Broadcast Station Rules, and Rules Applicable to All Broadcast

Stations, MB Docket No. 22–227, FCC 23–72. The R&O adopted a number of revisions to the Commission's rules to reorganize and clarify the Commission's technical licensing, operating, and interference rules for full power and Class A television, including revisions to 47 CFR 73.3540 to update the reference to FCC Form 2100, Schedule 316. For informational purposes, the Commission also will update reference in 47 CFR 73.3540 to FCC Form 2100, Schedules 314 and 315 covered under OMB 3060–0031 and FCC Form 2100, Schedule 345 covered under 3060–0075. The Commission will not revise these collections because only the reference to the forms will be updated. We are noting this in this collection. The revision to this information collection is made for informational purposes only, and does not create new or modify existing burdens. Other information collection requirements that are covered under this collection have not changed since last approved by the Office of Management and Budget (OMB).

*OMB Control Number:* 3060–0991.

*Title:* AM Measurement Data.

*Form Number:* N/A.

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

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 1,800 respondents; 3,135 responses.

*Estimated Hours per Response:* 0.50–25 hours.

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

*Total Annual Burden:* 20,200 hours.

*Total Annual Cost:* \$1,131,500.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this collection of information is contained in sections 151, 152, 154(i), 303, and 307 of the Communications Act of 1934, as amended.

*Needs and Uses:* In order to control interference between stations and assure adequate community coverage, AM stations must conduct various engineering measurements to demonstrate that the antenna system operates as authorized. The data is used by station engineers to correct the operating parameters of the antenna. The data is also used by FCC staff in field investigations to ensure that stations are in compliance with the technical requirements of the Commission's various rules.

*OMB Control Number:* 3060–1171.

*Title:* Commercial Advertisement Loudness Mitigation (“CALM”) Act; 73.682(e) and 76.607(a).

*Form Number:* Not applicable.

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

*Respondents:* Business or other for-profit entities.

*Number of Respondents and Responses:* 2,937 respondents and 4,868 responses.

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

*Estimated Time per Response:* 0.25–80 hours.

*Total Annual Burden:* 6,036 hours.

*Total Annual Cost:* No cost.

*Obligation to Respond:* Required to obtain or retain benefits. The statutory authority for this collection of information is contained in 47 U.S.C. 151, 152, 154(i) and (j), 303(r) and 621.

*Needs and Uses:* The Commission will use this information to determine compliance with the CALM Act. The CALM Act mandates that the Commission make the Advanced Television

Systems Committee (“ATSC”) A/85 Recommended Practice mandatory for all commercial TV stations and cable/multichannel video programming distributors (MVPDs).

Federal Communications Commission.

**Marlene Dortch,**

*Secretary, Office of the Secretary.*

[FR Doc. 2023–27810 Filed 12–18–23; 8:45 am]

**BILLING CODE 6712–01–P**

## FEDERAL COMMUNICATIONS COMMISSION

[FR ID: 191808]

### Privacy Act System of Records

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of a modified system of records.

**SUMMARY:** The Federal Communications Commission (FCC, Commission, or Agency) proposes to modify an existing system of records, FCC/OS–1, Electronic Comment Filing System (ECFS), subject to the Privacy Act of 1974, as amended. This action is necessary to meet the requirements of the Privacy Act to publish in the **Federal Register** notice of the existence and character of records maintained by the agency. The Commission uses this system to handle and process public comments related to FCC rulemakings and other proceedings. This modification makes various

necessary changes to the Categories of Records and identifies a new FCC point of contact.

**DATES:** This modified system of records will become effective on December 19, 2023. Written comments on the routine uses are due by January 18, 2024. The routine uses in this action will become effective on January 18, 2024 unless comments are received that require a contrary determination.

**ADDRESSES:** Send comments to Brendan McTaggart, Federal Communications Commission, 45 L Street NE, Washington, DC 20554 or [privacy@fcc.gov](mailto:privacy@fcc.gov).

**FOR FURTHER INFORMATION CONTACT:** Brendan McTaggart, (202) 418-1738, or [privacy@fcc.gov](mailto:privacy@fcc.gov) (and to obtain a copy of the Narrative Statement and the Supplementary Document, which include details of the proposed alterations to this system of records).

**SUPPLEMENTARY INFORMATION:** As required by the Privacy Act of 1974, as amended, 5 U.S.C. 552a(e)(4) and (e)(11), this document sets forth notice of the proposed modification of a system of records maintained by the FCC. The FCC previously provided notice of the system of records, FCC/OS-1 by publication in the **Federal Register** on October 5, 2023 (88 FR 69180).

The substantive changes and modifications to the previously published version of the FCC/OS-1 system of records include:

1. Modifying the language in the Categories of Records to be more specific about the types of personally identifiable information maintained in the system.

2. Updating the name of the FCC point of contact.

**SYSTEM NAME AND NUMBER:**

FCC/OS-1, Electronic Comment Filing System (ECFS).

**SECURITY CLASSIFICATION:**

Unclassified.

**SYSTEM LOCATION:**

Office of the Secretary, Federal Communications Commission, 45 L Street NE, Washington, DC 20554 and 1270 Fairfield Road, Gettysburg, PA 17325.

**SYSTEM MANAGER:**

Office of the Secretary, Federal Communications Commission (FCC), 45 L Street NE, Washington, DC 20554.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

44 U.S.C. Chapter 36; 47 U.S.C. 151 and 154; and Sections 504 and 508 of the Rehabilitation Act, 29 U.S.C. 794.

**PURPOSES OF THE SYSTEM:**

The ECFS collects comments and related data or metadata received by the FCC, whether electronically through the ECFS via an internet web-browser, by mail, by hand delivery of paper copy, or by other methods, as well as other files and records submitted in response to Commission rulemakings and docketed proceedings, and by the FCC's administrative law staff as the repository for official records for administrative proceedings. In order to comply with the requirements of various statutes and regulations, the FCC offers multiple avenues through which the public can be involved in the FCC decision-making process and can inform the FCC of concerns regarding compliance with FCC rules and requirements. Collecting and maintaining these types of information allows the FCC to be fully informed in decision-making, implementation, and enforcement endeavors. The ECFS also allows staff access to documents and data necessary for key activities discussed in this SORN including analyzing effectiveness and efficiency of related FCC programs and informing future rule and policy-making activity, and improve staff efficiency. Records in this system are available for public inspection.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals and representatives of groups, companies, and other entities who have filed comments as well as other files and records in FCC rulemakings and docketed proceedings or other matters arising under the Communications Act of 1934, as amended, the Rehabilitation Act, or related statutes.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Comments received by the FCC, whether electronically through the Electronic Comment Filing System (ECFS) via an internet web-browser, by mail, by hand delivery of paper copy, or other methods which include personally identifiable information provided by the filer such as name, home or business address, phone number, and/or email address. ECFS also collects certain network information from a filer and/or user submitting information to the FCC, such as IP address, geolocation, and computer operating system. The system also contains other files and records submitted in response to Commission rulemakings and docketed proceedings, and by the FCC's administrative law staff as the repository for official records arising out of the conduct of administrative proceedings.

**RECORD SOURCE CATEGORIES:**

Information in this system is provided by individuals, groups, companies, and other entities who make or provide comments or other files and records in FCC rulemakings and docketed proceedings, as well as FCC staff.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed to authorized entities, as is determined to be relevant and necessary, outside the FCC as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

1. Public Access—Under the rules of the Commission, public comments as well as other files and records submitted in rulemakings and other docketed proceedings are routinely available to the public—unless confidentiality is requested (47 CFR 0.459)—via the ECFS and may also be disclosed to the public in Commission releases.

2. FCC Enforcement Actions—When a record in this system involves an informal complaint filed alleging a violation of FCC rules, regulations, orders, or requirements by an applicant, licensee, certified or regulated entity, or an unlicensed person or entity, the complaint may be provided to the alleged violator for a response. Where a complainant in filing his or her complaint explicitly requests confidentiality of his or her name from public disclosure, the Commission will endeavor to protect such information from public disclosure. Complaints that contain requests for confidentiality may be dismissed if the Commission determines that the request impedes the Commission's ability to investigate and/or resolve the complaint.

3. Litigation—To disclose records to the Department of Justice (DOJ) when: (a) the FCC or any component thereof; (b) any employee of the FCC in his or her official capacity; (c) any employee of the FCC in his or her individual capacity where the DOJ or the FCC has agreed to represent the employee; or (d) the United States Government is a party to litigation or has an interest in such litigation, and by careful review, the FCC determines that the records are both relevant and necessary to the litigation, and the use of such records by the Department of Justice is for a purpose that is compatible with the purpose for which the FCC collected the records.

4. Adjudication—To disclose records in a proceeding before a court or adjudicative body, when: (a) the FCC or any component thereof; or (b) any employee of the FCC in his or her official capacity; or (c) any employee of the FCC in his or her individual capacity; or (d) the United States Government, is a party to litigation or has an interest in such litigation, and by careful review, the FCC determines that the records are both relevant and necessary to the litigation, and that the use of such records is for a purpose that is compatible with the purpose for which the agency collected the records.

5. Law Enforcement and Investigation—To disclose pertinent information to appropriate Federal, State, local, Tribal, international, or multinational agencies, or a component of such an agency, responsible for investigating, prosecuting, enforcing, or implementing a statute, rule, regulation, or order, where the FCC becomes aware of an indication of a violation or potential violation of civil or criminal law or regulation.

6. Congressional Inquiries—To provide information to a Congressional office from the record of an individual in response to an inquiry from that Congressional office made at the written request of that individual.

7. Government-wide Program Management and Oversight—To DOJ to obtain that department's advice regarding disclosure obligations under the Freedom of Information Act (FOIA); or to the Office of Management and Budget (OMB) to obtain that office's advice regarding obligations under the Privacy Act.

8. Breach Notification—To appropriate agencies, entities, and persons when: (a) the Commission suspects or has confirmed that there has been a breach of PII maintained in the system of records; (b) the Commission has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the Commission (including its information system, programs, and operations), the Federal Government, or national security; and; and (c) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Commission's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.

9. Assistance to Federal Agencies and Entities Related to Breaches—To another Federal agency or Federal entity, when the Commission determines that information from this system is reasonably necessary to assist the recipient agency or entity in: (a)

responding to a suspected or confirmed breach or (b) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, program, and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

10. Non-Federal Personnel—To disclose information to non-Federal personnel, including contractors, other vendors (e.g., identity verification services), grantees, and volunteers who have been engaged to assist the FCC in the performance of a contract, service, grant, cooperative agreement, or other activity related to this system of records and who need to have access to the records in order to perform their activity.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:**

This an electronic system of records that resides on the FCC's network.

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:**

Records in this system of records can be retrieved by any category field, e.g., individual name, entity name, rulemaking number, and/or docket number.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:**

The information in this system is maintained and disposed of in accordance with the National Archives and Records Administration (NARA) General Records Schedule 6.6: Rulemaking Records (DAA-GRS-2017-0012).

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:**

The electronic records, files, and data are stored in a database housed in the FCC computer network. While comments and other files and records are generally publicly available, access to certain information associated with filings is restricted to authorized employees and contractors; and to IT staff, contractors, and vendors who maintain the IT networks and services. Other employees and contractors may be granted access on a need-to-know basis. The electronic files and records are protected by the FCC privacy safeguards, a comprehensive and dynamic set of IT safety and security protocols and features that are designed to meet all Federal privacy standards, including those required by the Federal Information Security Modernization Act of 2014 (FISMA), the Office of Management and Budget (OMB), and

the National Institute of Standards and Technology (NIST).

**RECORD ACCESS PROCEDURES:**

Individuals wishing to request access to and/or amendment of records about themselves should follow the Notification Procedure below.

**CONTESTING RECORD PROCEDURES:**

Individuals wishing to request access to and/or amendment of records about themselves should follow the Notification Procedure below.

**NOTIFICATION PROCEDURES:**

Individuals wishing to determine whether this system of records contains information about themselves may do so by writing to [privacy@fcc.gov](mailto:privacy@fcc.gov). Individuals requesting access must also comply with the FCC's Privacy Act regulations regarding verification of identity to gain access to records as required under 47 CFR part 0, subpart E.

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:**

None.

**HISTORY:**

88 FR 69180 (October 5, 2023).

Federal Communications Commission.

**Katura Jackson,**

*Federal Register Liaison Officer.*

[FR Doc. 2023-27898 Filed 12-18-23; 8:45 am]

**BILLING CODE 6712-01-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**[OMB 3060-0715; OMB 3060-1139; FR ID 190754]**

**Information Collections Being Submitted for Review and Approval to Office of Management and Budget**

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, as required by the Paperwork Reduction Act (PRA) of 1995, the Federal Communications Commission (FCC or the Commission) invites the general public and other Federal Agencies to take this opportunity to comment on the following information collection. Pursuant to the Small Business Paperwork Relief Act of 2002, the FCC seeks specific comment on how it might "further reduce the information collection burden for small business concerns with fewer than 25 employees." The Commission may not