

Needs and Uses: FCC Rules require the collection of this information on new, modifications, renewal with modifications, and assignments of ground station authorizations. Data are used to update the existing database to ensure the most efficient use of the frequency spectrum. Data are also used by Compliance personnel in conjunction with Field Engineers for enforcement and interference resolutions. Applicants may also use Form 406 to renew an authorization when the renewal application generated by the FCC (FCC Form 452R) is not required by the applicant. The data collected are required by the Communications Act of 1934, as amended, International Treaties, and FCC Rules 47 CFR parts 1.922, 1.924, 87.21, and 87.31.

This collection is being revised to delete the fee payment blocks (i.e., Fee Type Code, Fee Multiple, and Fee Due). FCC Form 159, Fee Remittance Advice, is required to be submitted with any payment to the FCC. FCC Form 159 duplicates the fee payment information. A space has been added for the applicant to provide the FCC an e-mail address. The number of responses and estimated burden remain unchanged.

OMB Control Number: 3060-0134.

Title: Application for Renewal of Private Radio Station License.

Form Numbers: FCC 574R.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities; Not-for-profit institutions; Individuals or households; State, Local or Tribal Governments.

Number of Respondents: 84,000.

Estimated Time per Response: 20 minutes. (0.33 hrs.)

Frequency of Response: On occasion reporting requirements.

Total Annual Burden: 27,720 hours.

Total Annual Costs: \$4,960,000.

Needs and Uses: FCC Rules require that radio station licensees renew their radio station authorization every five or ten years, depending upon the type of license held (i.e., CMRS or PMRS). The data collected are used by FCC staff to update the existing database which ensures the most efficient use of the frequency spectrum. Data are also used by Compliance personnel in conjunction with Field Engineers for enforcement and interference resolutions.

Licensees may also use this form upon receipt from the Commission to cancel an authorization they do not wish to renew. At the time of renewal, licensees may opt to use this form to indicate a change of mailing address, change of licensee name (without

change to corporate structure, ownership, or control), or change the number of mobile units.

The data collected are required by the Communications Act of 1934, as amended, International Treaties, and FCC Rules 47 CFR parts 1.922, 90.119, 90.135, 90.157, 95.89, 95.103, and 95.107.

This collection is being revised to remove the fee payment blocks (i.e., Fee Type Code, Fee Multiple, and Fee Due). FCC Form 159, Fee Remittance Advice, is required to be submitted with any payment to the FCC. FCC Form 159 duplicates the fee payment information. This change does not significantly affect the number of responses and the estimated burden.

This data collection may be submitted electronically via the FCC's interactive Form 900, which is available from the FCC's Internet site.

OMB Control Number: 3060-0443.

Title: Conditional Temporary Authorization to Operate a Part 90 Radio Station.

Form Numbers: FCC 572C.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; Individuals or households; Not-for-profit institutions; State, Local or Tribal Governments.

Number of Respondents: 17,023.

Estimated Time per Response: 6 minutes (0.10 hrs.)

Frequency of Response: Recordkeeping; on occasion reporting requirements.

Total Annual Burden: 1,702 hours.

Total Annual Costs: None.

Needs and Uses: FCC Rules require that applicants complete FCC Form 572C if they wish to have immediate authorization to operate 2-way radio equipment in Part 90 radio services below 470 MHz or in the 929-930 MHz band. To be eligible for conditional authority, an applicant that has satisfied the frequency coordination requirements and filed the requisite FCC license application must certify on FCC Form 572C that it meets specified conditions that demonstrate the application can be routinely granted because it raises no special issues.

The Refarming (PR Docket No. 92-235, Second Report and Order, released on March 12, 1997, changed the rules to institute a ten business day waiting period in the refarming bands after coordination prior to when an applicant could operate pursuant to conditional temporary authority.

This form is required by the Communications Act of 1934, as amended, International Treaties, and FCC Rules 47 CFR parts 1.922 and 90.159.

Federal Communications Commission.

Magalie Roman Salas,
Secretary.

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FEDERAL COMMUNICATIONS COMMISSION

Privacy Act System of Records

ACTION: Notice of a combined and revised Privacy Act system of records.

SUMMARY: Pursuant to the provisions of the Privacy Act of 1974, as amended, (5 U.S.C. 552a), the FCC is combining former systems PRB/02, "Application and License File" and CCB-4, "Public Land Mobile Individual Users File." The FCC will use the revised system to perform the licensing and enforcement functions performed by the Wireless Telecommunications Bureau. The combined system of records will be a component of a system referred to as the Universal Licensing System (ULS). The FCC is also revising its system of records to gather Taxpayer Identification Numbers (TINs) in order to meet the requirements of the Debt Collection Improvement Act of 1996. This notice meets the requirement of documenting the change to the Commission's system of records, and provides the public, Congress and the Office of Management and Budget (OMB) an opportunity to comment.

DATES: Any interested person may submit written comments concerning the routine uses of this system on or before January 22, 1999. The OMB, which has oversight responsibility under the Privacy Act to review the system may submit comments on or before February 1, 1999. This proposed system shall be effective on February 1, 1999, unless the FCC receives comments that require a contrary determination. The Commission will publish a document in the **Federal Register** notifying the public if any changes are necessary. The Commission will publish Public Notices in accordance with 47 CFR 0.422 as radio services are converted and added to the ULS.

ADDRESSES: Address comments to Kathy Abbate, FCC, Performance Evaluation and Record Management, Room 1A827, Washington, DC 20554, or via internet at kabbate@fcc.gov.

FOR FURTHER INFORMATION CONTACT: William Knowles-Kellett, Commercial Wireless Division, Wireless Telecommunications Bureau, at (717) 338-2505 or via internet at wkkellett@fcc.gov or Dorothy Conway, Management and Planning Staff,

Wireless Telecommunications Bureau, at (202) 418-0217 or via internet at dconway@fcc.gov.

SUPPLEMENTARY INFORMATION: The purpose of maintaining ULS is to allow the Commission and the public access to current accurate information regarding the status of applications and licenses in radio services licensed by the Wireless Telecommunications Bureau under parts 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's rules, as well as Broadcast Auxiliary applications and licenses, part 74 of the Commission's rules, that are processed by the Wireless Telecommunications Bureau (pursuant to an agreement with Mass Media Bureau) (inclusively referred to hereafter as "Wireless Services"). This will facilitate efficient management and use of the spectrum managed by the Wireless Telecommunications Bureau and serve to make available to all the people of the United States a rapid, efficient, nation-wide and world-wide radio communication service.

The proposed combined and altered system is as follows:

FCC/WTB-1, "Wireless Services Licensing Records." This system is used to administer the FCC's regulatory responsibilities including licensing, enforcement, rulemaking, and other actions necessary to perform spectrum management duties. The system will also be maintained to provide public access to pending requests for authorizations and information regarding current licensees.

FCC/WTB-1

SYSTEM NAME:

Wireless Services Licensing Records.

SYSTEM LOCATION:

Federal Communications Commission (FCC), 1919 M Street, Washington, DC 20554. The records are maintained in electronic form for agency use; paper records will be archived. The scope of records includes applications, licenses and pleadings relating to such applications and licenses in the Wireless Services.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Licensees and applicants (including persons or entities with attributable interests therein as described below); tower owners; and contact persons relating to radio systems licensed or processed by the Wireless Telecommunications Bureau under parts 13, 22, 24, 26, 27, 74, 80, 87, 90, 95, 97, and 101 of the Commission's rules (Wireless Services).

CATEGORIES OF RECORDS IN THE SYSTEM:

Applications, licenses, pleadings, and correspondence relating to authorizations and requests for authorizations in the Wireless Services. The current application forms will include the collection of Taxpayer Identification Numbers (TINs) as defined by 26 U.S.C. 6109. The Debt Collection Improvement Act of 1996, 31 U.S.C. 7701, (DCIA) now requires the agency to collect TINs from all individuals or entities "doing business" with the FCC. The DCIA states that a person is "doing business" before an agency if a person is "* * * an applicant for or recipient of a Federal license, * * *" The FCC considers persons and entities with attributable interests under 47 CFR 1.2112 as being "applicant(s) for, or recipient[s] of, a Federal license * * *" for purposes of the DCIA. Entities subject to the disclosure requirements of § 1.2112—entities from whom we require submission of ownership information regarding their relationship with the applicant of record—are components of the applicant and thus constitute "an applicant for, or recipient of, a Federal license * * *." Biennial Regulatory Review—Amendment of parts 0, 1, 13, 22, 24, 26, 27, 80, 87, 90, 95, 97, and 101 of the Commission's rules to Facilitate the Development and Use of the Universal Licensing System in the Wireless Telecommunications Services, Report and Order, WT Docket No. 98-20, FCC 98-234, FCC Rcd (released October 21, 1998)(paras. 132-42).

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

47 U.S.C. 301, 303, 309, 312, 362, 364, 386, 507 and 510. Authority to collect TINs is contained in 31 U.S.C. 7701.

PURPOSE(S):

Records are kept to administer the FCC's regulatory responsibilities including licensing, enforcement, rulemaking, and other actions necessary to perform spectrum management duties. The system will also be maintained to provide public access to pending requests for authorizations and information regarding current licensees. License records are routinely used to determine the availability of spectrum for licensing. The records are also used to determine when compliance filings, renewal applications and fees are due from licensees. FCC licensee records are used to resolve disputes between radio operators regarding who has certain rights to use particular frequency bands in particular geographic areas. The records may also be used to resolve cross border disputes e.g. disputes with entities operating in Canada and

Mexico. Records will be used to allow licensees to transfer or assign their interests in particular licenses or portions of licenses as the rules permit (after agency approval). Records will be used to evaluate the completeness and sufficiency of requests for new or modified authorizations. Public access to license data (except TIN numbers) will promote the economically efficient allocation of spectrum and the resolution of radio interference problems.

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

The licensee records will be publicly available and routinely used in accordance with subsection (b) of the Privacy Act. TIN Numbers and material which is afforded confidential treatment pursuant to a request made under 47 CFR 0.459 will not be available for Public inspection, however, these and all other records may also be disclosed for the following purposes:

1. A record from this system may be disclosed where there is an indication of a violation or potential violation of a statute, regulation or order, records from this system may be used to conduct enforcement proceedings within the agency, or may be referred to Federal, state, or local law enforcement personnel responsible for investigating, prosecuting or for enforcing or implementing the statute, regulation or order.

2. Records may be utilized to report to the President, NTIA and other federal agencies regarding the current uses and utilization of the spectrum that the FCC manages.

3. A record on an individual may be used where pertinent in any legal proceeding to which the Commission is a party before a court or administrative body.

4. A record from this system may be disclosed to the Department of Justice or in a proceeding before a court or adjudicative body when:

(a) The United States, the Commission, a component of the Commission, or, when arising from his employment, an employee of the Commission is a party to litigation or anticipated litigation or has an interest in such litigation, and

(b) The Commission determines that the disclosure is relevant or necessary to the litigation.

5. A record from this system may be disclosed to debt collection contractors (31 U.S.C. 3718) or to other Federal agencies such as the Department of the Treasury (Treasury) for the purpose of collecting and reporting on delinquent

debts as authorized by the Debt Collection Act of 1982 or the Debt Collection Improvement Act of 1996;

6. A record from this system may be disclosed to Treasury; the Defense Manpower Data Center, Department of Defense; the United States Postal Service; government corporations; or any other Federal, State, or local agency to conduct an authorized computer matching program in compliance with the Privacy Act of 1974, as amended, to identify and locate individuals, including Federal employees, who are delinquent in their repayment of certain debts owed to the U.S. Government, including those incurred under certain programs or services administered by the FCC, in order to collect debts under common law or under the provisions of the Debt Collection Act of 1982 or the Debt Collection Improvement Act of 1996 which include by voluntary repayment, administrative or salary offset, and referral to debt collection contractors.

7. A record from this system may be disclosed to the Department of Justice, United States Attorney, Treasury, or other Federal agencies for further collection action on any delinquent account when circumstances warrant.

8. A record from this system may be disclosed to credit reporting agencies/ credit bureaus for the purpose of either adding to a credit history file or obtaining a credit history file or comparable credit information for use in the administration of debt collection. As authorized by the DCIA, the FCC may report current (not delinquent) as well as delinquent consumer and commercial debt to these entities in order to aid in the collection of debts, typically by providing an incentive to the person to repay the debt timely. Proposed revisions to the Federal Claims Collection Standards (FCCS) published in the **Federal Register** on December 31, 1997, direct agencies to report information on delinquent debts to the Department of Housing and Urban Development's Credit Alert Interactive Voice Response System (CAIVRS). The FCC will report this information to CAIVRS if the proposed requirement is contained in the final rule amending the FCCS.

9. A record from this system may be disclosed to any Federal agency where the debtor is employed or receiving some form of remuneration for the purpose of enabling that agency to collect a debt owed the Federal government on the FCC's behalf. The FCC may counsel the debtor for voluntary repayment or may initiate administrative or salary offset procedures, or other authorized debt

collection methods under the provisions of the Debt Collection Act of 1982 or the Debt Collection Improvement Act of 1996. Pursuant to the DCIA, the FCC may garnish non-Federal wages of certain delinquent debtors so long as required due process procedures are followed. In these instances, the FCC's notice to the employer will disclose only the information that may be necessary for the employer to comply with the withholding order.

10. A record from this system may be disclosed to the Internal Revenue Service (IRS) by computer matching to obtain the mailing address of a taxpayer for the purpose of locating such taxpayer to collect or to compromise a Federal claim by the FCC against the taxpayer pursuant to 26 U.S.C. 6103(m)(2) and in accordance with 31 U.S.C. 3711, 3717, and 3718 or common law. Disclosure of a mailing address obtained from the IRS may be made only for debt collection purposes, including to a debt collection agent to facilitate the collection or compromise of a Federal claim under the Debt Collection Act of 1982 or the Debt Collection Improvement Act of 1996, except that disclosure of a mailing address to a reporting agency is for the limited purpose of obtaining a credit report on the particular taxpayer. Any mailing address information obtained from the IRS will not be used or shared for any other FCC purpose or disclosed by the FCC to another Federal, State, or local agency which seeks to locate the same taxpayer for its own debt collection purposes.

11. A record from this system may be disclosed to refer legally enforceable debts to the IRS or to Treasury's Debt Management Services to be offset against the debtor's tax refunds under the Federal Tax Refund Offset Program.

12. A record from this system may be disclosed to prepare W-2, 1099, or other forms or electronic submittals, to forward to the IRS and applicable State and local governments for tax reporting purposes. Under the provisions of the DCIA, the FCC is permitted to provide Treasury with Form 1099-C information on discharged debts so that Treasury may file the form on the FCC's behalf with the IRS. W-2 and 1099 Forms contain information on items to be considered as income to an individual, including payments made to persons not treated as employees (e.g., fees to consultants and experts), and amounts written-off as legally or administratively uncollectible, in whole or in part.

13. A record from this system may be disclosed to banks enrolled in the Treasury Credit Card Network to collect a payment or debt when the individual

has given his or her credit card number for this purpose.

14. A record from this system may be disclosed to another Federal agency that has asked the FCC to effect an administrative offset under common law or under 31 U.S.C. 3716 to help collect a debt owed the United States. Disclosure under this routine use is limited to name, address, TIN, and other information necessary to identify the individual; information about the money payable to or held for the individual; and other information concerning the administrative offset.

15. A record from this system may be disclosed to Treasury or other Federal agencies with whom the FCC has entered into an agreement establishing the terms and conditions for debt collection cross servicing operations on behalf of the FCC to satisfy, in whole or in part, debts owed to the U.S. government. Cross servicing includes the possible use of all debt collection tools such as administrative offset, tax refund offset, referral to debt collection contractors, and referral to the Department of Justice. The DCIA requires agencies to transfer to Treasury or Treasury-designated Debt Collection Centers for cross servicing certain nontax debt over 180 days delinquent. Treasury has the authority to act in the Federal government's best interest to service, collect, compromise, suspend, or terminate collection action in accordance with existing laws under which the debts arise.

16. Information on past due, legally enforceable nontax debts more than 180 days delinquent will be referred to Treasury for the purpose of locating the debtor and/or effecting administrative offset against monies payable by the government to the debtor, or held by the government for the debtor under the DCIA's mandatory, government-wide Treasury Offset Program (TOP). Under TOP, Treasury maintains a database of all qualified delinquent nontax debts, and works with agencies to match by computer their payments against the delinquent debtor database in order to divert payments to pay the delinquent debt. Treasury has the authority to waive the computer matching requirement for the FCC and other agencies upon written certification that administrative due process notice requirements have been complied with.

17. For debt collection purposes, the FCC may publish or otherwise publicly disseminate information regarding the identity of delinquent nontax debtors and the existence of the nontax debts under the provisions of the Debt Collection Improvement Act of 1996.

18. A record from this system may be disclosed to the Department of Labor (DOL) and the Department of Health and Human Services (HHS) to conduct an authorized computer matching program in compliance with the Privacy Act of 1974, as amended, to match the FCC's debtor records with the records of DOL and HHS to obtain names, name controls, names of employers, addresses, dates of birth, and TINs. The DCIA requires all Federal agencies to obtain taxpayer identification numbers from each individual or entity doing business with the agency, including applicants and recipients of licenses, grants, or benefit payments; contractors; and entities and individuals owing fines, fees, or penalties to the agency. The FCC will use TINs in collecting and reporting any delinquent amounts resulting from doing business with applicants and licensees.

19. If the FCC decides or is required to sell a delinquent nontax debt pursuant to 31 U.S.C. 3711(i), information in this system of records may be disclosed to purchasers, potential purchasers, and contractors engaged to assist in the sale or to obtain information necessary for potential purchasers to formulate bids and information necessary for purchasers to pursue collection remedies.

20. If the FCC has current and delinquent collateralized nontax debts pursuant to 31 U.S.C. 3711(i)(4)(A), certain information in this system of records on its portfolio of loans, notes and guarantees, and other collateralized debts will be reported to Congress based on standards developed by the Office of Management and Budget, in consultation with Treasury.

21. A record from this system may be disclosed to Treasury in order to request a payment to individuals owed money by the FCC.

22. A record from this system may be disclosed to the National Archives and Records Administration or to the General Services Administration for records management inspections conducted under 44 U.S.C. 2904 and 2906.

In each of these cases the FCC will determine whether such use of the records is compatible with the purpose for which the records were collected.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

All records will be stored and accessed electronically. Records that are submitted to the FCC on paper will be scanned or keyed into the computer system as appropriate. Paper records

submitted to the FCC will be archived after being entered into ULS. Tape backups of records will be periodically created. Records of prior licensees will be archived.

RETRIEVAL:

Records may be retrieved by searching electronically using a variety of parameters including name, a licensee's unique identifier, call sign, file number, etc. Paper records which contain TINs will not be available for Public Inspection. A primary purpose of the system is to provide easy access to the information.

SAFEGUARDS:

Records (other than TINs and materials which are afforded confidential treatment under 47 CFR 0.459) are accessible to the public. Access to certain records may be available on the internet. Access to other records will be available using a web browser on the Commission wide area network. The ability to enter and change individual records will be protected by passwords issued to applicants and licensees. Records will be protected from unauthorized changes by passwords and other computer security measures within the agency. TINs reported to the agency as requested on appropriate forms will not be available to the public. (The agency cannot be responsible for the disclosure of TINs by applicants in attachments to applications or pleadings in situations where confidentiality is not requested.) Each applicant or licensee will be given a unique identifier generated by the ULS after such applicant or licensee provides its TIN to the agency. These identifiers will be used within the agency and by the public to obtain information on the licenses held by particular individuals or entities. These identifiers will be used in lieu of tracking by TINs so that the agency can avoid unnecessary disclosure of TINs. Within the agency, access to TINs will be available only to those persons whose jobs require such access (e.g., FCC staff who report debt information to the U.S. Department of Treasury).

RETENTION AND DISPOSAL:

Records will be actively maintained as long as an individual remains a licensee. Paper records will be archived after being keyed or scanned into the system. Electronic records will be backed up on tape. Electronic and paper records will be maintained for at least eleven years.

SYSTEM MANAGER(S) AND ADDRESS:

Chief, Wireless Telecommunications Bureau, FCC, 2025 M Street, N.W., Washington, D.C. 20554.

NOTIFICATION PROCEDURE:

Address inquiries to the system manager. In order to identify a specific record please indicate name, address, type of record as well as file number or call sign where applicable.

RECORD ACCESS PROCEDURES:

Information regarding procedures for accessing records can be found at the FCC Web site <www.fcc.gov> or by calling 888-CALL-FCC.

CONTESTING RECORD PROCEDURES:

Individuals wishing to request amendment of their records should contact the system manager indicated above.

An individual requesting amendment must also follow the FCC Privacy Act regulations regarding verification of identity and amendment of records (47 CFR 0.556 and 0.557).

RECORD SOURCE CATEGORIES:

The individual to whom the information applies.

Federal Communications Commission,

Shirley S. Suggs,

Chief, Publications Branch.

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BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2308]

Petitions for Reconsideration and Clarification of Action in Rulemaking Proceedings

December 7, 1998.

Petitions for reconsideration and clarification have been filed in the Commission's rulemaking proceedings listed in this Public Notice and published pursuant to 47 CFR Section 1.429(e). The full text of these documents are available for viewing and copying in Room 239, 1919 M Street, N.W., Washington, D.C. or may be purchased from the Commission's copy contractor, ITS, Inc. (202) 857-3800. Oppositions to these petitions must be filed by January 7, 1999. See Section 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions has expired.

Subject: Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations, (Galesburg, Illinois