

Agency-Wide Recovery Act Plan for the Federal Communications Commission

FCC Recovery Act Programs

The American Recovery and Reinvestment Act of 2009 (ARRA or Recovery Act) (P.L. 111-5) specifies two programs under which the Federal Communications Commission (FCC or Commission) has responsibilities:

Digital-To-Analog Converter Box Program (Education and Outreach)

Under the ARRA, the National Telecommunications and Information Administration (NTIA) of the Department of Commerce may use up to \$90 million for consumer education and outreach related to the transition to digital television broadcasts, and may transfer this amount to the FCC if deemed necessary and appropriate by the Secretary of Commerce, in order to aid a smooth transition to digital broadcasts by increasing awareness, particularly among groups most at risk for losing television service. NTIA and the FCC are tailoring digital television transition outreach efforts to respond to changing circumstances, and if future transfers are deemed necessary and appropriate, the Congress will be advised in accordance with the ARRA.

Broadband Technology Opportunities Program

As directed in the ARRA, the FCC will develop a national broadband plan and consult with the NTIA in their implementation of the Broadband Technology Opportunities Program (BTOP). The Secretary of Commerce, in consultation with the FCC and following Congressional notification, may transfer amounts to the FCC for carrying out these responsibilities. The ARRA also requires the Chairman to consult with the Secretary of Health and Human Services (HHS) on a study and report on availability of open source health information technology systems. *See* Recovery Act § 4104(b).

Recovery Goals

1. Provide education and outreach concerning the digital television transition, particularly programs to educate vulnerable populations, including senior citizens, minority communities, people with disabilities, low-income individuals, and people living in rural areas, and provide one-on-one assistance to vulnerable populations, including help with converter box installations.
2. Develop a national broadband plan by February 2010 to ensure that all people of the United States have access to broadband capability and establish benchmarks for meeting that goal. The national broadband plan shall include the following:
 - a. An analysis of the most effective and efficient mechanisms for ensuring broadband access

- b. A detailed strategy for achieving affordability of broadband service and maximum utilization of broadband infrastructure and service by the public
- c. An evaluation of the status of broadband deployment, including progress of projects supported by BTOP grants
- d. A plan for use of broadband infrastructure and services in advancing consumer welfare, civic participation, public safety and homeland security, community development, health care delivery, energy independence and efficiency, education, worker training, private sector investment, entrepreneurial activity, job creation and economic growth, and other national purposes.

Funding

After sending the appropriate notification to Congress as required by the ARRA, NTIA transferred \$65,705,000 in funding to the FCC for education and outreach efforts to support the Digital-To-Analog Converter Box Program. In addition to funding the initiatives discussed below under Characteristics of Financial Awards (media buys, community walk-in assistance centers, in-home converter box assistance, and call center support services), the funds transferred from NTIA will be used for web site upgrades to improve the Commission's DTV website, printing DTV publications and for translating those publications to benefit non-English speaking communities, and for travel expenditures for Commission staff who are serving as the "boots on the ground". Staff members are providing local support and information to communities across the country, particularly in markets where there is a significant percentage of the population receiving television signals over-the-air.

As of this date, no funds have been transferred from NTIA to FCC for developing a national broadband plan or for carrying out any other FCC responsibilities under the BTOP section of the Recovery Act. Congress will be notified not less than 15 days in advance of any such transfer for this purpose. All reporting required by the ARRA will be updated to reflect the transfer of funds and the planned use of those funds.

Competition on Contracts

Of the \$65.705 million of the Recovery Act funding received by the FCC thus far, 3% (\$2.28 million) will be used for travel and to hire outreach interns. This leaves 97% (\$63.425 million) that will be awarded through competitive solicitations or through amendments to existing contracts that were initially awarded competitively. The amount and percentage of funds awarded consists of:

- \$55.025 million of contract funds (87%) have been or will be awarded through competitive solicitations.
- \$8.4 million of contract funds (13%) have been or will be added to existing contracts that were competitively awarded in order to obligate funds expeditiously.

Contract Type

Of the \$63.425 million of Recovery Act funding awarded through contracts, \$26.025 million (41%) will be awarded through fixed price contracts. The remaining \$37.4 million (59%) will be awarded as time and materials contracts. Time and materials contracts are used in several contracts in the Digital-to-Analog Converter Box Program due to two factors: (1) the nature of the services being purchased, and (2) the necessity to move expeditiously in acquiring services due to the June 12, 2009 deadline for all full-power television stations to transmit by digital signals only.

The provision of call center support is based on the number of contractor staff required to handle consumer calls, particularly immediately before and after the transition date, and the number of hours the contractor staff works. Acquiring this service on a fixed price basis would necessitate that the FCC make a guess as to the volume of consumer calls that the call center will be required to answer. By using time and materials contracts, the FCC retains the flexibility to tailor staffing in response to its monitoring of trends in the number of calls coming in to the call center. If call volume is lighter than expected, the FCC can scale back on the number of contract staff required, saving taxpayer dollars. This would be impossible to accomplish under a fixed price contract.

With the June 12th deadline looming for the full DTV transition, the FCC also sought to expeditiously provide educational materials and improvements to its DTV web site in order to give consumers relying on over-the-air television signals the vital information they needed concerning the transition and as much time as possible to act on that information. This necessitated using existing time and materials contract vehicles on contracts that were initially competitively bid, to ensure that timely provision of information to consumers.

Agency Accountability Mechanisms

Recipients of contracts awarded under this program will be identified and along with the amount of funds awarded to each and how those funds are spent. Contract recipients will report performance information, such as the number of customers served or installations completed. This information will be posted to the FCC's Recovery Act web site.

The FCC will utilize performance information in routine decision making and performance information will be the basis for ongoing modifications to the Recovery Act plans and assessments of activities. Performance is discussed at Bureau Chief meetings, daily DTV planning meetings, multiple weekly planning meetings, and in collaborative preparation of Recovery Act plans. Program managers at the FCC will be held accountable for achieving program goals through the Commission's performance evaluation systems. Reports of program progress and performance in meeting identified milestones will be posted on the FCC Recovery Act web site.