

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Licensing of Private Remote-Sensing Space Systems**  
**OMB Control No. 0648-0174**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary. Cite all applicable authorities for this information collection.**

This request is for revision of an existing information collection.

The information is being collected as a necessary step to regulate the private space-based remote sensing industry, which involves issuing licenses to applicants and ensuring their compliance with license terms. The Department of Commerce (DOC), through the National Oceanic and Atmospheric Administration (NOAA), has the authority to regulate private space-based remote sensing under the Land Remote Sensing Policy Act of 1992, 51 U.S.C. § 60101 *et seq.* (the Act) and regulations at 15 CFR Part 960. DOC/NOAA is substantially revising those regulations in a current proposed rule (RIN: 0648-BA15). The regulations facilitate the development of the U.S. private remote sensing industry and thus promote the collection and widespread availability of remote sensing data, while preserving essential U.S. national security interests and observing international obligations.

As noted below, this revision has removed several defunct information collections, and has added some to the list of Information Collections (ICs) that were inadvertently omitted from the extension in 2017. These added ICs are not new, as they were mentioned in the 2017 Supporting Statement and Federal Register Notice. Their omission from the 2017 list of ICs appears to have been a clerical error.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used.**

**If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

NOAA's Commercial Remote Sensing Regulatory Affairs (CRSRA) collects the information currently authorized to be collected under this OMB Control Number. CRSRA does not disseminate this information to the public, because all or nearly all of it is commercial and/or proprietary. The information includes several subtypes, addressed below:

The application information received is used to determine if the applicant meets the legal criteria for issuance of a license to operate a private Remote Sensing space system, i.e., the proposed system will be operated in accordance with the Act, U.S. national security concerns, and international obligations. Application information includes: corporate information; launch segment information; space segment information; ground segment information; plans and/or pricing policy for providing access to or distributing the unenhanced data generated by the system; and the plan for post-mission disposition of any Remote Sensing satellites.

- Corporate information is required to verify that the applicant is a legitimate corporate entity in good standing and to ascertain ownership, control, and influence over that entity.
- Launch segment, space segment, and ground segment information contain the technical specifications (typical to the detail of a Request for Proposal), operational performance parameters, and concept of operations necessary to make determinations on impacts to national security and intelligence concerns and the corresponding level of protections required (e.g., encryption, operational security) to address such concerns.
- Information on data access and dissemination policies and plans, including provision of data to the National Archives and Records Administration (NARA) and the sensed state, is necessary to ensure licensee activities are consistent with statutory requirements under the Act.
- Information on planned post-mission disposition of the spacecraft is necessary to ensure public safety and minimize orbital debris.
- Once an applicant holds a license, he/she is subject to amendment filings and notification requirements concerning an executive summary of the licensed system, foreign agreements, deviation in orbits, planned disposition of the spacecraft, data protection plans, preliminary design reviews, critical design reviews, certification of launch contract and pre-ship review of the satellite, and notification of system demise or decision to discontinue operations. The licensee is required to provide NOAA an executive summary that can be provided to the public within 30 days of obtaining a NOAA Operator license.
- In the interest of taxpayers having access to basic information concerning NOAA's regulatory activities, NOAA requires licensees to provide an executive summary of their licensed system that can be made available to the public.
- Notification of foreign agreements, including certain investment agreements, is required to ensure that the agreement is consistent with the terms of the license with regards to national security and foreign policy and international obligations and, specifically, that positive control of licensed systems is at all times maintained by the license holder which is under U.S. jurisdiction. The licensee is also required to provide NOAA a copy of the foreign agreement within 30 days of its signature.
- Notification of deviation in orbits is an important change that could significantly impact imaging capabilities and affect other space vehicles or platforms.
- Notification of system demise or of a licensee's decision to discontinue or suspend operations is necessary so that NOAA may terminate the subject license in a timely manner and verify that the licensee continues to adhere to the obligations of the licensee that survive termination.
- Notification of the data protection plan to protect data and information through the entire cycle of tasking, operations, processing, archiving and dissemination.

Monitoring and compliance information is used to ascertain that the licensee's activities meet the requirements of the Act, applicable regulations, and license conditions. The following information collections serve as part of the monitoring and compliance function:

- Annual compliance audits; data collection restriction plans; operation plans for restricting collection and dissemination of imaging Israeli territory; quarterly reports; and purge notifications.
- Annual compliance audits address previous information filed with NOAA as part of the original license application process: for example, any changes in corporate structure,

ownership, financial investments, etc. Licensees are required to produce copies of documents that reflect changes to the original submissions.

- Operation plans for restricting collection or dissemination of imagery of Israeli territory are required by the Kyl-Bingaman Amendment to the 1997 Defense Authorization Act. Usually these plans are produced for internal company use and are then provided to NOAA for review and concurrence.
- Data Protection Plans are used to verify the data path the licensee will use to communicate tasking requests to the satellite and subsequently download the collected images to a ground station for processing and sale. This plan will be submitted 12 months prior to launch.
- Quarterly reports require the licensee to verify to the government in writing of any occasion in which the system was operated outside of the terms of the license or any applicable laws. The reporting cycle for the quarterly reports will begin three months after the system is declared operational.
- Purge notifications are to be sent to Department of Interior National Satellite Land Remote Sensing Archive to satisfy the requirements in the Act, will be provided by the licensee for review. Purge notifications will include time, location, sensor, format, and media for the data the licensee intends to discard.

It is anticipated that the information collected relating to applications, amendments, and foreign agreements will be disseminated, as specified in the Act, to other appropriate U.S. Government agencies as part of NOAA's requirement for consultation when making licensing decisions. As explained in the preceding paragraphs, the information gathered has utility. NOAA will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

There are no forms in this information collection. Documents may be transmitted by any means, except that NOAA is requesting that applicants provide an electronic copy of the application and executive summary to facilitate more timely dissemination of information to reviewing agencies and U.S. Government response to the applicant.

**4. Describe efforts to identify duplication.**

The information collected relates to a unique benefit and no duplication has been identified. Information that is required by other agencies will not be required and NOAA will obtain this information directly from the relevant U.S. government agency. Examples of these include Securities and Exchange Commission forms 10K and 10Q, and Committee on Foreign Investment in the United States reviews.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

While small businesses may be respondents, the collection would not have any significant impact upon them and the information requested is the minimum needed to make the necessary determinations.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

Without collecting the information described in the regulations, NOAA would be unable to ascertain whether the proposed or actual operations of the applicant's system comply with applicable statutory requirements and conditions, and would therefore be unable to issue operating licenses or conduct associated regulatory actions.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

This information collection is consistent with OMB guidelines.

**8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission.**

- Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments.
- Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published on October 9, 2019 (84 FR 54120) solicited public comment. One public comment was received. The comment objected to the burdens imposed by the regulatory program in general, including specifically the burdens imposed by paperwork. The comment suggested that the average and annualized burdens estimated in the Federal Register notice were inaccurately low.

In response to this comment, NOAA notes that it is still in the process of amending the regulations, which effort is directed at substantially reducing regulatory burdens, including paperwork burdens. This renewal, however, cannot take into account that regulatory reform effort, as it is not yet finalized. NOAA also appreciates that its estimates of the regulatory and paperwork burdens associated with this regulatory program will vary widely based on the size and sophistication of the licensed system.

NOAA's Notice of Proposed Rulemaking sought feedback on the regulatory burdens including paperwork burdens, and NOAA is taking comments on that Proposed Rulemaking into account as it proceeds toward a final rule. NOAA has also sought input from the Advisory Committee on Commercial Remote Sensing on how best to approach regulatory reform.

Additionally, based on program changes and in an effort to streamline compliance burdens for the regulated industry, NOAA has condensed several previously approved information collections. Therefore, the list of documents collected is not purely an extension of the 2017

approval, because some documents have been added (per the recent [Federal Register](#) notice) and some have been removed.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

No payments or gifts are made to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

Protection of proprietary information would be in accordance with the [Federal Trade Secrets Act](#) and the [Freedom of Information Act](#), and the Departmental procedures for compliance with the Freedom of Information Act (see [15 CFR 4](#)). NOAA believes that adequate protection for proprietary information is contained in the Freedom of Information Act. Applications will not be made available to the public, since almost all this information is proprietary. This assurance is included in the applicable regulations.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No sensitive questions are asked.

**12. Provide an estimate in hours of the burden of the collection of information. (add rows as necessary)**

**For wage costs: use [www.bls.gov/oes](http://www.bls.gov/oes) , then click on OES Data in the left-hand column, then National to find Occupational Employment Wage Rates for the current year. Find the appropriate Occupational Title of the Respondent completing the Information Collection and use the Mean hourly wage.**

There are approximately 70 total licensees, and it is estimated that there could be as many as 50 respondents total to any paperwork request in a given year.

Information Collection	Type of Respondent (Occupational Title)	# of Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Burden Hrs / Response	Total Annual Burden Hrs	Mean Hourly Wage Rate (for Type of Respondent)	Total Annual Wage Burden Costs
Licensing of Private Remote Sensing Space Systems - Application Package	General Manager	18	1	18	40	720	\$59.56	\$42,883
Data Protection Plan	General Manager	18	1	18	10	180	\$59.56	\$10,720
Data Collection Restrictions Compliance Plan	General Manager	3	1	3	5	15	\$59.56	\$893
Plan for Restricted Operations over Israel	General Manager	4	1	4	3	12	\$59.56	\$714
Public Summary	General Manager	18	1	18	0.5	9	\$59.56	\$536
Notification of Completion of Pre-ship Review	Aerospace Engineer	7	1	7	1	7	\$56.30	\$394
License amendment	General Manager	18	1	18	3	54	\$59.56	\$3,216
Foreign agreements notifications (including investments)	General Manager	11	1	11	2	22	\$59.56	\$1,310
Submission of Information When Spacecraft Becomes Operational	General Manager	4	1	4	1	4	\$59.56	\$238
Notification of Planned Purges of Information	General Manager	0	0	0	2	0	\$59.56	0
Operational Quarterly Reports	General Manager	22	3	66	3	198	\$59.56	\$11,792
Annual Compliance Audit	General Manager	51	1	51	4	204	\$59.56	\$12,150
Notification of the Demise of a System or Decision to Discontinue System Operations	General Manager	13	1	13	1	13	\$59.56	\$774
<b>Totals</b>		<b>N/A-- duplicates</b>		<b>231</b>		<b>1438</b>		<b>\$85,647</b>

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above). (add rows as necessary)**

Information Collection	# of Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Cost Burden / Respondent	Total Annual Cost Burden
Licensing of Private Remote Sensing Space Systems - Application Package	18	1	18	0	0
Data Protection Plan	18	1	18	0	0
Data Collection Restrictions Compliance Plan	3	1	3	0	0
Plan for Restricted Operations over Israel	4	1	4	0	0
Public Summary	18	1	18	0	0
Notification of Completion of Pre-ship Review	7	1	7	0	0
License amendment	18	1	18	0	0
Foreign agreements notifications (including investments)	11	1	11	0	0
Submission of Information When Spacecraft Becomes Operational	4	1	4	0	0
Notification of Planned Purges of Information	0	0	0	0	0
Operational Quarterly Reports	22	3	66	0	0
Annual Compliance Audit	51	1	51	0	0
Notification of the Demise of a System or Decision to Discontinue System Operations	13	1	13	0	0
<b>TOTALS</b>			<b>231</b>		<b>\$0</b>

**14. Provide estimates of annualized cost to the Federal government. (add rows/information as necessary)**

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
<b>Federal Oversight</b>	GS-14	\$152,000	33		\$50,160
Positions	GS 12	85,000	50		\$42,500
<b>Contractor Cost</b>					
<b>Travel</b>					
<b>Other Costs</b>					
<b>TOTAL</b>					<b>\$92,660</b>

**15. Explain the reasons for any program changes or adjustments.**

The following tables show the changes and in the number of respondents, responses, time estimates, labor costs, and miscellaneous costs; and explains the reasons for these changes.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Submission of Preliminary Design Review	0	1	0	1	0	2	After reviewing certain material information over the last 20+ years, it was determined that this document was no longer relevant to the license determination process.
Submission of Critical Design Review	0	1	0	1	0	2	After reviewing certain material information over the last 20+ years, it was determined that this document was no longer relevant to the license determination process.
Notification of Binding Launch Service Contract	0	1	0	1	0	1	After reviewing certain material information over the last 20+ years, it was determined that this document was no longer relevant to the license determination process.
Notification of Any Operational Deviation	0	4	0	8	0	16	Removed as this is now part of the Quarter Operational Report
Annual Operational Audit	0	4	0	4	0	40	Removed as this is now part of the Annual Compliance Audit
Data Protection Plan	18	0	18	0	180	0	Inadvertently omitted from previous IC list, but included in supporting documents in 2017 renewal.
Data Collection Restrictions Compliance Plan	3	0	3	0	15	0	Inadvertently omitted from previous IC list, but included in supporting documents in 2017 renewal.
Plan for Restricted Operations over Israel	4	0	4	0	12	0	Inadvertently omitted from previous IC list, but included in supporting documents in 2017 renewal.
Public Summary	18	0	18	0	9	0	Inadvertently omitted from previous IC list, but included in supporting documents in 2017 renewal.
Licensing of Private Remote Sensing Space Systems - Application Pkg	18	1	18	9	720	70	More applicants are requesting licenses; industry is growing
Notification of Completion of Pre-Ship Review	7	1	7	1	7	1	Industry has grown; more licensees are launching systems.
License Amendment	18	3	18	18	54	180	Industry has grown; more licensees need amendments.
Foreign Agreements Notifications	11	9	11	18	22	36	Industry has grown; more licensees have foreign agreements and investments.
Submission of Information When Spacecraft Becomes Operational	4	1	4	1	4	2	Industry has grown, and the segment of industry launching multiple small spacecraft has grown substantially; therefore, more licensees have launched spacecraft.



Notification of Planned Purges of Information	0	4	0	8	0	16	Fewer licensees have purged information.
Operational Quarterly Reports	22	4	66	16	198	48	Industry has grown; there are more licensees.
Annual Compliance Audit	51	17	51	17	204	136	Industry has grown; there are more licensees.
Notification of the Demise of a System or Decision to Discontinue System Operations	13	1	13	1	13	2	Industry has grown, and the segment of industry launching multiple small spacecraft has grown substantially; therefore, more licensees have discontinued spacecraft.
<b>Total for Collection</b>	<b>187</b>	<b>52</b>	<b>231</b>	<b>104</b>	<b>1438</b>	<b>552</b>	

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Submission of Preliminary Design Review	\$ -	\$ 100	\$ -	\$ 10	After reviewing certain material information over the last 20+ years, it was determined that this document was no longer relevant to the license determination process.
Submission of Critical Design Review	\$ -	\$ 100	\$ -	\$ 10	After reviewing certain material information over the last 20+ years, it was determined that this document was no longer relevant to the license determination process.
Notification of Binding Launch Service Contract	\$ -	\$ 50	\$ -	\$ 10	After reviewing certain material information over the last 20+ years, it was determined that this document was no longer relevant to the license determination process.
Notification of Any Operational Deviation	\$ -	\$ 800	\$ -	\$ 77	Removed as this is now part of the Quarter Operational Report
Annual Operational Audit	\$ -	\$ 2,000	\$ -	\$ 38	Removed as this is now part of the Annual Compliance Audit
Data Protection Plan	\$ 10,720	\$ -	\$ -	\$ -	Inadvertently omitted from previous IC list, but included in supporting documents in 2017 renewal.
Data Collection Restrictions Compliance Plan	\$ 893	\$ -	\$ -	\$ -	Inadvertently omitted from previous IC list, but included in supporting documents in 2017 renewal.
Plan for Restricted Operations over Israel	\$ 714	\$ -	\$ -	\$ -	Inadvertently omitted from previous IC list, but included in supporting documents in 2017 renewal.
Public Summary	\$ 536	\$ -	\$ -	\$ -	Inadvertently omitted from previous IC list, but included in supporting documents in 2017 renewal.
Licensing of Private Remote Sensing Space Systems - Application Pkg	\$ 42,883	\$ 3,500	\$ -	\$ 85	Labor costs were updated using BLS OES data; Miscellaneous costs reduced as submissions are via e-mail.
Notification of Completion of Pre-Ship Review	\$ 394	\$ 50	\$ -	\$ 10	Labor costs were updated using BLS OES data; Miscellaneous costs reduced as submissions are via e-mail.
License Amendment	\$ 3,216	\$ 9,000	\$ -	\$ 173	Labor costs were updated using BLS OES data; Miscellaneous costs reduced as submissions are via e-mail.
Foreign Agreements Notifications	\$ 1,310	\$ 1,800	\$ -	\$ 173	Labor costs were updated using BLS OES data; Miscellaneous costs reduced as submissions are via e-mail.

<b>Submission of Information When Spacecraft Becomes Operational</b>	\$ 238	\$ 100	\$ -	\$ 10	Labor costs were updated using BLS OES data; Miscellaneous costs reduced as submissions are via e-mail.
<b>Notification of Planned Purges of Information</b>	\$ -	\$ 800	\$ -	\$ 77	Labor costs were updated using BLS OES data; Miscellaneous costs reduced as submissions are via e-mail.
<b>Operational Quarterly Reports</b>	\$ 11,792	\$ 2,400	\$ -	\$ 154	Labor costs were updated using BLS OES data; Miscellaneous costs reduced as submissions are via e-mail.
<b>Annual Compliance Audit</b>	\$ 12,150	\$ 6,800	\$ -	\$ 163	Labor costs were updated using BLS OES data; Miscellaneous costs reduced as submissions are via e-mail.
<b>Notification of the Demise of a System or Decision to Discontinue System Operations</b>	\$ 774	\$ 100	\$ -	\$ 10	Labor costs were updated using BLS OES data; Miscellaneous costs reduced as submissions are via e-mail.
<b>Total for Collection</b>	<b>\$ 85,620</b>	<b>\$ 27,600</b>	<b>\$ -</b>	<b>\$ 1,000</b>	

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

The results of this collection will not be published.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

There are no forms associated with this collection.

**18. Explain each exception to the certification statement.**

There are no exceptions for compliance with provisions in the certification statement.