

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 final 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.

- 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, and will continue to do so under the final rule and revised information collection. 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:

Applications. Under the final rule, applicants will apply for a license to operate a private remote sensing space system. This application will contain the information requested by Appendix A to the final rule. Appendix A is a list of questions. CRSRA uses the application information to determine if the applicant meets the legal criteria for issuance of a license. Application information includes information about the applicant (such as corporate information), the launch dates of any components going to space, and technical specifications of all components (especially the components in space that are capable of collecting imagery data). This information is necessary for CRSRA to determine whether CRSRA has jurisdiction over the system; the technical capabilities of the system (for purposes of assigning the system to the proper license tier under the final rule), and to determine whether the applicant can be relied on to comply with all legal requirements, which is the statutory threshold for granting a license.

License Modification Request (optional). If a licensee wishes to modify its license, either to reflect changes in its business practices or technical changes to its system, or to request different

license conditions, it may submit such a request to CRSRA and explain why the change is sought. CRSRA need this information to be able to keep licenses accurate and to respond to the regulated community's needs. Additionally, one type of license modification is to notify CRSRA of a "significant or substantial foreign agreement," which the Act requires.

Notifications: The final rule requires the licensee to notify CRSRA when a spacecraft launches or deploys; upon disposal of an on-orbit component of the licensed system; upon detection of an anomaly; and upon the licensee's financial insolvency or dissolution. These events occur on occasion. This information is required to be collected under the Act, and it is critical to fulfilling one of the United States' key international obligations, which is to authorize and continually supervise U.S. nationals' activities in space. CRSRA, therefore, must be notified when spacecraft are deployed and disposed of so that CRSRA can supervise the space activities of U.S. nationals. Similarly, anomalies may indicate loss of control of a spacecraft, so CRSRA must monitor any anomalies to meaningfully supervise the activities of U.S. nationals in space. Finally, the financial insolvency or dissolution of a licensee may indicate that a change in control of the spacecraft will follow, because an insolvent licensee may go through a bankruptcy process that might put the licensed system's ownership in question. It is critical that CRSRA be able to intervene as early as possible in this process so that a sensitive system does not pass into the ownership of an entity who might jeopardize national security or international obligations.

Annual compliance certification. CRSRA will require licensees to submit an annual compliance certification, which requires the licensee to verify that all facts in the license remain true. Facts that must be verified in this certification include the technical specifications of the system and other foundational facts that CRSRA relies upon in reviewing license applications. This information is critical to ensuring that only those entities who are legally fit to obtain a license do so, and therefore, CRSRA will use the annual certification to remind licensees of their duty to keep this information updated and accurate.

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.

CRSRA does not currently use forms in this information collection, but it anticipates that it will develop simple forms after publication of the final rule. Even in the absence of such forms, however, the final rule specifies that all of the information submitted to CRSRA can be submitted electronically, including by email, as well as by traditional mail.

4. Describe efforts to identify duplication.

The information collected relates to a unique benefit and no duplication has been identified. Moreover, the revised information collection, as part of the final rule, reflects DOC/NOAA's effort to reduce the collection of information overall, especially when applicants or licensees submit the information to other U.S. Government agencies. For example, the application in the final rule significantly reduces the amount of corporate information that CRSRA collects. The revised information collection includes only the minimum amount of information that CRSRA must collect to comply with the Act by granting licenses to parties who meet the Act's standards.

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

CRSRA hopes that the reduced amount of information sought, as well as the anticipated

electronic forms and the opportunity to submit information electronically, will minimize the burden to small businesses and other small entities who may apply for a CRSRA license. CRSRA believes that it cannot further reduce the amount of information sought without endangering compliance with the Act and other law, including international obligations.

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

The Act requires the Secretary to grant licenses only when the Secretary determines that the applicant will comply with the Act, CRSRA's regulations, and any applicable international obligations and national security concerns of the United States. As stated above, the information sought is the minimum amount necessary to make that determination. Therefore, without collecting the information described in the proposed rule and revised information collection, CRSRA would be legally prohibited from granting licenses to operate remote sensing space systems, which would prohibit all space-based remote sensing, and would effectively eliminate the U.S. remote sensing industry.

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

This collection will be conducted in a manner consistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe 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 May 14, 2019 (84 FR 21282) solicited public comments on the proposed rule's proposed information collection. Public comments provided many valuable insights and suggestions on the amount and kind of information proposed to be collected. Taking into account the comments received, the final rule has further reduced the amount of information required. For example, the proposed rule would have required a Data Protection Implementation Plan, a Cybersecurity Framework, and a plan demonstrating compliance with the Orbital Debris Mitigation Standard Practices. CRSRA has eliminated these paperwork requirements in the final rule.

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

No payments or gifts are provided. The information collected is required for regulatory compliance.

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

The preamble to the final rule confirms that CRSRA will comply with all legal requirements protecting sensitive information, including the Freedom of Information Act to withhold confidential business information, and the Trade Secrets Act.

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 questions of a sensitive nature 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 , 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.

Information Collection	Type of Respondent (Occupational Title)	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Mean Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Application	General Manager	18	1	18	15	270	\$59.56	\$16,081.20
License Modification Request	General Manager	18	1	18	1	18	\$59.56	\$1,072.08
Notification of Launch or Deployment of Spacecraft	General Manager	4	1	4	2	8	\$59.56	\$476.48
Notification of Disposal of On-Orbit Component	General Manager	13	1	13	1	13	\$59.56	\$774.28
Notification of Detection of Anomaly	General Manager	4	1	4	1	4	\$59.56	\$238.24
Notification of Financial Insolvency or Dissolution	General Manager	0	1	0	1	0	\$59.56	\$0
Annual Compliance Certification	General Manager	51	1	51	2	102	\$59.56	\$6,075.12
Totals				108		415		\$24,717.40

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 (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c)=(a) x (b)	Cost Burden / Response (h)	Total Annual Cost Burden (i) = (c) x (h)
Application	18	1	18	\$0	\$0
License Modification Request	18	1	18	\$0	\$0
Notification of Launch or Deployment of Spacecraft	4	1	4	\$0	\$0
Notification of Disposal of On-Orbit Component	13	1	13	\$0	\$0
Notification of Detection of Anomaly	4	1	4	\$0	\$0
Notification of Financial Insolvency or Dissolution	0	1	0	\$0	\$0
Annual Compliance Certification	51	1	51	\$0	\$0
TOTALS			108		\$0

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
Federal Oversight	GS-14	\$152,000	33		\$50,160
Other Positions	GS-12	\$85,000	50		\$42,500
Contractor Cost					
Travel					
Other Costs					
TOTAL					\$92,660

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	
Licensing of Private Remote Sensing Space Systems – Application Package	18	18	18	18	270	720	Revised pursuant to 0648-BA15
Data Protection Plan	0	18	0	18	0	180	Removed from collection pursuant to changes in BA15
Data Collection Restrictions Compliance Plan	0	3	0	3	0	15	Removed from collection pursuant to changes in BA15
Plan for Restricted Operations over Israel	0	4	0	4	0	12	Removed from collection pursuant to changes in BA15
Public Summary	0	18	0	18	0	9	Removed from collection pursuant to changes in BA15
Notification of Completion of Pre-ship Review	0	7	0	7	0	7	Removed from collection pursuant to changes in BA15
License amendment (License Modification Request)	18	18	18	18	18	54	Revised pursuant to BA15
Foreign agreements notifications (including investments)	0	11	0	11	0	22	Collapsed into License Modification Request pursuant to changes in BA15
Submission of Information When Spacecraft Becomes Operational (Notification of Launch or Deployment of Spacecraft)	4	4	4	4	8	4	Revised pursuant to changes in BA15
Notification of Planned Purges of Information	0	0	0	0	0	0	Removed from collection pursuant to changes in BA15
Operational Quarterly Reports	0	22	0	66	0	198	Removed from collection pursuant to changes in BA15
Annual Compliance Audit (Annual Compliance Certification)	51	51	51	51	102	204	Revised pursuant to changes in BA15
Notification of the Demise of a System or Decision to Discontinue System Operations (Notification of Disposal of On-Orbit Component)	13	13	13	13	13	13	Revised pursuant to changes in BA15
Notification of Detection of Anomaly	4	0	4	0	4	0	New requirement pursuant to BA15
Notification of Financial Insolvency or Dissolution	0	0	0	0	0	0	New requirement pursuant to BA15
Total for Collection	18 unique	18 unique	108	231	415	1438	
Difference				-123		-1,023	

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Licensing of Private Remote Sensing Space Systems – Application Package	\$16,081.20	\$42,883	0	0	Revised pursuant to BA15
Data Protection Plan	0	\$10,720	0	0	Removed from collection pursuant to changes in BA15
Data Collection Restrictions Compliance Plan	0	\$893	0	0	Removed from collection pursuant to changes in BA15
Plan for Restricted Operations over Israel	0	\$714	0	0	Removed from collection pursuant to changes in BA15
Public Summary	0	\$536	0	0	Removed from collection pursuant to changes in BA15
Notification of Completion of Pre-ship Review	0	\$394	0	0	Removed from collection pursuant to changes in BA15
License amendment (License Modification Request)	\$1,072.08	\$3,216	0	0	Revised pursuant to BA15
Foreign agreements notifications (including investments)	0	\$1,310	0	0	Collapsed with modification request pursuant to changes in BA15
Submission of Information When Spacecraft Becomes Operational (Notification of Launch or Deployment of Spacecraft)	\$476.48	\$238	0	0	Revised pursuant to changes in BA15
Notification of Planned Purges of Information	0	0	0	0	Removed from collection pursuant to changes in BA15
Operational Quarterly Reports	0	\$11,792	0	0	Removed from collection pursuant to changes in BA15
Annual Compliance Audit (Annual Compliance Certification)	\$6,075.12	\$12,150	0	0	Revised pursuant to changes in BA15
Notification of the Demise of a System or Decision to Discontinue System Operations (Notification of Disposal of On-Orbit Component)	\$774.28	\$774	0	0	Revised pursuant to changes in BA15
Notification of Detection of Anomaly	\$238.24	0	0	0	New requirement pursuant to BA15
Notification of Financial Insolvency or Dissolution	\$0	0	0	0	New requirement pursuant to BA15
Total for Collection	\$24,717.40	\$85,647	0	0	
Difference		- \$60,930		0	

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

The results of these collections 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.

This collection does not currently use any prescribed forms. If NOAA creates forms, they will contain the expiration date for OMB approval of the information collection.

18. Explain each exception to the certification statement.

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

Part B

This collection does contain any statistical analysis.